

Mayor David Sims called the regularly scheduled council meeting of September 19, 2017 to order at 7:00 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, Fire Chief Dave Winey, Planner Lisa Ailport, and Economic Development Coordinator Dennis Weed. Also present were Marty Martinez, Val Thompson, Jerry Higgs, Marcia Cossette, Dave Gray, Hannah Sims, Keith Snider, and Laura Snider.

Fire Chief Dave Winey said the Fire Department has been quiet but today they participated in a training with Border Patrol and helped the Hospital with decontamination. It was a good exercise. It was noted that the Fire Department worked very well together. The Fire Department was there for the Hospital.

Coral Branson and Kylie Branson joined the meeting.

Mike Klaus said Department of Environmental Quality (DEQ) gave approval for the waterline to Cassia Tank. It will be a good enhancement to the tank, and we will be able to get it full. There was a bilateral funding transfer from Ellensburg so this will add \$25,000 to our Bonneville Power Administration (BPA) conservation program. Rick asked how long it will take to complete the waterline. Mike anticipates seven to ten working days to get it operational. Mike also said the federal inspection of the Moyie Dam took place last week. He thinks a detailed report will come out of this. The FERC report is due in April, 2018. Ken Toline asked about the iron shaft that was bent. Mike said he has not come to a conclusion on how to repair this yet. He is looking at the water levels and dewatering behind the Dam. Mike said the shaft that is bent still works but is not in perfect condition.

Economic Development Coordinator Dennis Weed said Henry Yoder came to the EDC Advisory meeting and is building a business near the Log Inn. He is planning to expand his deli and adding a co-op store. He is hopeful to be there in a couple months. Dennis continues to work with a company interested in leasing or purchasing the Akins building owned by Albertsons. They will employ 30 to 40 people in the production area in the store. Other benefits they will provide outside the store are for products they will be buying from the community. This is a large impact on jobs in the area. There are a lot of hoops to go through as it is in the preliminary stages.

Rick Alonzo moved to add late agenda items for approving a dike brushing proposal and authorize the Mayor to sign a contract with Dirks Tree Care, Inc. and approve the scope of work for Tetra Tech for the Moyie Hydroelectric Project Inundation Study and authorize the Mayor to sign the contract with Tetra Tech. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

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”.

Rick Alonzo moved to have the third reading by title only of the ordinance amending Bonners Ferry City Code Title 12, Chapter 1, concerning violations and remedies for land divisions.

Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”. Planner Lisa Ailport read the title of the ordinance.

Adam Arthur moved to adopt Ordinance 570 Amending Bonners Ferry City Code Title 12, Chapter 1, Concerning Violations and Remedies for Land Divisions. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Coral Branson said there is a homecoming dance after the football game on September 29, 2017 and requested the curfew be extended until 12:30 a.m. Ron Smith moved to approve the curfew extension for the homecoming dance on September 29, 2017 until 12:30 a.m. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Laura Snider said there are roosters in her neighborhood and it is noisy and disruptive. She would like to see roosters not allowed in Zone B. She also wants to see that animal pens are inspected to meet the 50 foot setback and that is currently required but is not always practiced. Plans should have to be submitted and approved. If a pen did not get approval they could work to meet the standards. She spoke about livestock units and asked that there be no roosters. Laura said City Code 11-2-2 reads that buildings housing animals shall not be located closer than 50 feet of a property line. She would like fenced pen areas to be included in that area also. Laura read a definition of buildings and structures that included fences or enclosures in a proposed City Code 11-2-1C. Her reasons for this is that pens attract rodents and flies or insects. When neighbors do not observe the setbacks it is bad for neighbors.

Mayor Sims said he knows there are many people that have chickens even though they are not zoned Residential B. He said we need to enforce our laws or allow them to be in other zones. He wanted council to consider this tonight and have planning and zoning (P&Z) look at this also. He suggested prohibiting roosters everywhere and allow a certain number of chickens. He said a half acre is not very large and if there are animals allowed on this size of property this may not be large enough. Laura said the enclosures need to be approved by the Health Department or the Commission. She said inspections should be done.

Jerry Higgs concurs with the comments made previously. He said there should be a comment line on the application that the person has received the ordinance. Jerry does not think the half acre property size is big enough. Large animals make traffic patterns and then there is erosion and the manure gets pounded in the ground. He also said animals should have shelter so they can get out of the cold. He agrees that there should not be roosters. Chicken manure and urine is really odorous. He thinks council should fine tune this ordinance.

Laura said she is happy to see that this ordinance is being considered.

Rick Alonzo thinks we should have P&Z look at this and consider the number of animals we are allowing on the acreage size. Lisa Ailport spoke about the handout sent to council regarding urban livestock. She said it boils down to a good neighbor and animal husbandry. She thinks manure management can be a problem. Lisa said this is a problem across the board. There is

also a problem of people having livestock in zones where livestock is not allowed. She would like to hear from the people doing urban ranching to hear their side of the story. The Code needs to meet what our community wants. Lisa said many of the lots in the City are less than 50 feet wide. Adam said a person cannot hardly have a 50 foot setback on a half-acre parcel. Lisa spoke of horses in the Birch Street area. Ken Toline asked if there have been any sanitation complaints. Val Thompson said she has heard complaints from neighbors of folks with livestock that they are not caring for the animals properly. Mayor Sims said neighbors are reluctant to complain about their neighbors. Val agreed and said sometimes the neighbors will feed and care for the animals rather than complain about the neighbor. Ken Toline questioned about having livestock in the City and said feed attracts vermin. Lisa said urban ranching is looked at as bringing back values. Ken thinks if animals are allowed there should be rules regarding caring for them also.

Mayor Sims said we have to keep enforcement in mind so it is not up to the neighbors. Lisa said micro-livestock also includes honey bees, goats, pot belly pigs, and small equine like donkeys. She said some of these may come out of the planning and zoning commission. Ron Smith said if there is no enforcement then this conversation is not going anywhere. Laura said residential zones A and AA do not allow livestock. Mayor Sims agreed and said people are keeping chickens in these zones also. Laura does not think there should be grandfathered rules about keeping pens right on the line. Lisa will look at grandfathering. P&Z will look at this issue.

Lisa spoke regarding the National Realtor Grant. The grant was applied for to dovetail into our transportation plan. The grant was due last Friday and Elaine Clegg from Smart Growth told us about it. The grant will be for connectivity and bicycle/pedestrian paths. Lisa is hopeful that High Five will pay the match for the grant. She handed out copies for council to review. There are three phases to these grants. A master bike and pedestrian plan will enhance our federal lands access program money opportunities. Council will review this at the next meeting.

The revisions to the BPA contract were recommended for approval by Mike Klaus. Ken Toline moved to authorize the Mayor to sign Revisions to Exhibits D & F of the BPA Power Sales Agreement Contract No. 09B-13010. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mayor Sims said a request has been made to name the Northside Park the Dean Satchwell Memorial Park. The Northside Park had been discussed previously and possibly selling it, as it is expensive to maintain. Rick thinks if there was some signage at the bottom of the park people may be more inclined to use it as some people don't realize it is a park. He said Janet Satchwell used to maintain the flowers. David said amenities are needed if it is to be utilized as a park such as parking. Mike said building setbacks would be difficult to meet on the lot. Ken Toline asked about Dean Satchwell. Rick said Dean was a deputy for Adams County and had a traumatic event that made his right arm useless. Dean's wife worked at the Refuge. Dean came to work for the police department and he was great as secretary because he handled many other duties. Dean also worked as a dispatcher. He was one heck of a guy and was instrumental in starting the Rotary bike ride. He was on our Traffic Safety Committee for many years also. Dean passed away the end of August. The group looked at an aerial view of the park. Mike said we also have

made a commitment to do a memorial for Leslie Falcon. The group discussed making the park a memorial park for community members. Ken Toline said it is great to name a park after such an important person. Rick thinks we should consider it again at the next meeting.

The group briefly discussed the Friends of Mirror Lake Golf Tournament. All proceeds from the tournament are used for improvements at the golf course. Adam Arthur moved to donate the green fees from Friends of Mirror Lake Golf Tournament to the Friends of Mirror Lake account. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mayor Sims said the first phase of the Highway 95 Project is from Madison Street to the Kootenai River Bridge and will be done in 2018. The phase from Madison to Alderson will be done in 2019. Idaho Transportation Department (ITD) has come to the conclusion that the Alderson Lane signal light does not warrant a signal as determined by their eight criteria. Left turning traffic did not meet the standards. One of the disadvantages to the light is that it is only a three way intersection rather than a four way intersection. Mike said when we do our transportation plan there may be another need for a light in a better location. ITD plans to leave the light in place and keep it functioning until 2019, and then a rapid reflective flashing beacon (RRFB) will be installed. Mayor Sims said once the project is complete there will be pedestrian crossings. Rick spoke about the difficulty getting on the highway as the light gives a break in the traffic so a person can get on the highway from side streets. He is opposed to removing the Alderson Lane signal light. Mayor Sims said traffic causing problems in our area is not through traffic, but instead is our local traffic. The group discussed traffic issues in our community. Mike Klaus said connectivity was a big thing when we looked at selecting the firm for our transportation plan.

Service area for utilities was discussed. Ron Smith said this has come up in the past. He thinks we should have services available if someone lives in the city limits, and if they do not they should have to be annexed to get our services. Mike said there are about 50 equivalent dwelling units (EDUs) left in our water capacity. Adam asked how many EDUs are in the City limits, or possibly may be needed. Mayor Sims said there are more than we have. Mike spoke about capacity. He said peak production availability is calculated by taking the largest filter out of the equation according to DEQ. Mike said if we get another source, such as our well, we can increase our capacity. Mike thinks we may have 300 EDU capacity from the well. Mayor Sims said looking at development it makes more sense to have that density near the City.

Dave Gray does not think it is right that city people subsidize people outside city limits. He does not want to subsidize these people. Mayor Sims said taxes do not support the utility systems. Ron thinks people need to be part of the city limits before they are allowed to get our utility services. He said the annexation agreement needs to have a time certain for annexation. Val Thompson asked if the city letter sent to Boundary County for the proposed six-plex could have stipulated annexation in a certain amount of time. Mayor Sims said they are subject to it immediately but annexation cannot occur unless the property is adjacent. Jerry Higgs spoke of people outside city limits wanting water service but being denied due to them not being able to be annexed. He said we may face litigation due to the policy not being equal. Mayor Sims said

area of impact has nothing to do with the water and sewer service area. However, it all happens to be in the area of impact. Attorney Andrakay Pluid said we are not required to have our water service area consistent with the area of city impact. Rick asked since we took in the South Hill Water District aren't we obligated to serve them. Ron Smith reiterated that we serve folks outside city limits and the people are required to sign an agreement to annexation sometime in the future. Andrakay said our service area boundaries can be retracted until more EDUs are available. Mike thinks there are less than 50 water EDUs left.

The group briefly discussed subdivisions coming to our service area. The growth rate in the city is very low. Adam asked about the well development. Mike said it could cost over \$200,000 to get it developed. He would like to see a well online by the end of 2018. Mayor Sims suggested contacting those folks in the service area that would be affected by shrinking the service area back to the City limits. Ron would like to see a set period of time for people being annexed before they are allowed our utility services. Val Thompson asked about increasing the utility rate for those folks outside city limits. Mayor Sims said we have to prove that it costs more to serve those people. He said once we add the cost of developing the well we could increase our capitalization fee to help pay those costs.

Mike said we will have a good electronic model of the Moyie Dam when we get done with the scope of work from JUB Engineers. The original drawings we have for the Moyie Dam are from the 1940's and they are hand drawn. Three dimensional light imaging detection and ranging (LIDAR) scan images will make very accurate drawings from different angles. Ron Smith moved to authorize the Mayor to sign the contract with JUB Engineer for spillway repair pending legal approval. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

The sewer main replacement on the sewer bridge design scope of work was discussed. Mayor Sims said we will need to coordinate with Idaho Water Resources as well as US Army Corps of Engineers as stated in Subtask 300. Mike said Subtask 600 regarding hazardous materials was the topic of many discussions. The current piping is made of 13 foot sections of asbestos. We need a plan for removal and disposal. He said a sub-consultant may need to be hired. Mayor Sims asked the City Attorney to look at subtask 600 and the contract to make sure it is consistent. The total project cost is estimated to be about \$700,000 and we have \$350,000 in grant funding awarded to help with the cost of the project. The new pipe will need to be insulated and have expansion capabilities due to heating and cooling. Mike would like to see the bid time early in 2018 and allow the contractor flexibility for getting the work done. Adam Arthur moved to authorize the Mayor to sign the contract with JUB Engineers for design and replacement of the sewer bridge pending review of the City Attorney and approve the scope of work. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mike spoke regarding the person that has requested to job shadow. He will make sure there are liability waivers in place. Rick Alonzo moved to authorize Miranda Mathias-Funnell to do an 80 hour job shadow as long as the liability waivers are in place and approved by the City Attorney.

Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mike Klaus said there was a levee inspection done a couple months ago and there is a requirement of the Corps that the brush be cut along the dikes. Brush needs to be cut from the highway bridge out to the edge of city limits between the road and the river. Mike recommended using Dirks Tree Care, Inc. Adam Arthur moved to authorize the Mayor to sign the contract with Dirks Tree Care for \$8,950 for brush removal. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Rick Alonzo moved to authorize the Mayor to sign the Extension of Agreement for Electric Service with Idaho Forest Group through September, 2018. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Mike spoke regarding a functional exercise required by FERC. There is a functional training through a mock exercise in Texas to train someone to come back and do this type of exercise ourselves. The training is free but travel to Austin is not. Rick Alonzo approved permission for Mike to go to FERC training in Austin, Texas. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

The surplus property purchases agenda item was tabled.

Mike said in 1994 CH2MHill did an inundation study. This study was a scenario of what would happen if there was a breach to the Moyie Dam. The study showed the amount of time the water would take to get to people and structures downstream. The 1994 study is outdated so FERC wants more recent information as to how long and how deep the water would be to reach the folks downstream. Mike explained the maps included with the handouts given to council. Much of the effort and money goes into the hydraulic model. Mayor Sims asked if Tetra Tech would give us the shape files. Mike said there is still negotiating of the inflow design flood (IDF) for the reasonable possible maximum flood that creates the IDF. He said chances of loss of life flooding where the dam is kept intact is not great due to the lack of wave front. Mayor Sims would like to get the shape files noted in the contract. Adam Arthur moved to approve the scope of work for the Moyie Dam inundation study and include any shape files in the project and authorize the Mayor to sign the contract. Ken Toline seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Ken Toline “yes”, Adam Arthur “yes”.

Meeting adjourned at 9:12 p.m.