

Mayor Anderson convened the Idaho Transportation Department (ITD) Highway 95 workshop at 3:00 p.m. on February 4, 2014 in the Council Chambers at City Hall. Present were Mayor Anderson, Council President Rick Alonzo, Council Members Ron Smith and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, Street Department Supervisor John Youngwirth, and Economic Development Coordinator David Sims. Also present were Don Davis from ITD and Laura Roady from the Bonners Ferry Herald. Councilwoman Connie Wells was gone on personal business.

Don Davis said this summer the bridge decks will get redone on the bridge over Arizona Street and the Kootenai River/Railroad Bridge. Don said these projects will take most of the summer. The bumps on the approach to the Kootenai River Bridge will also be fixed.

Don said based on through traffic figures there are about 7,000 vehicles that are passing through Bonners Ferry per day. There are about 11,000 vehicles per day traveling up the south hill but only 7,000 are passing through at the Forest Service corner so 4,000 or so vehicles are local traffic.

Stephen said the city has considered setting up a meeting with the south hill businesses so they are aware of possible changes. Mayor Anderson said he would like to invite the businesses to a meeting around March 6, 2014. Don Davis has submitted a list of property owners to the city. Don said the road is deteriorating fast so we need to do something soon. Don said if a three lane improvement was done it would have to have better drainage and it will take more right of way than previous projects did. Mayor Anderson said the businesses will need to know the impact to our community. Don said there are many things to be figured out. Stephen asked if a five lane or bypass are what is projected for the future. Don agreed. He said in 30 years we will need more than one lane in each direction. David Sims asked if there was a bypass if the city would have to take over maintenance of our current bypass. Don said we would not have to. John Youngwirth said if we did not take over the maintenance duties that ITD would push it back on their maintenance list as it would not be a priority for them.

Ron Smith said if we are looking at a bypass then we need to invite more than just the business people as it will impact others. Mayor Anderson said we will only invite the businesses first and then have another meeting with all the citizens. Stephen said the right of way could be purchased from one or the other side of the highway depending on the lesser impact to the businesses. Don Davis said we could possibly meander down the highway. Don spoke of the Sandpoint bypass and said in 1999 the projection was that 19 percent of the vehicle traffic would be local and since the bypass has opened nearly 50 percent has been local. John Youngwirth said Sandpoint is totally different than Bonners Ferry as Sandpoint is a destination for the beach and skiing where Bonners Ferry does not have that advantage and people will just drive by. Don said the railroad is looking to restore the depot near the Sandpoint bypass.

The group discussed the meeting with the businesses on March 6, 2014 as to the time of day. Don will check with his group to see what will work for his crew. Stephen said the question to be answered is whether they want a bypass or a five lane. Don spoke of a bypass and whether or not another river crossing would be considered. He said Homeland Security may help if we look at another river crossing. The meeting will be at the Jr. High School and the doors will open at 4:00 p.m. for people to view information and the meeting will start at 5:15 p.m.

The workshop concluded at 3:50 p.m.

Mayor Anderson called the regularly scheduled council meeting of February 4, 2014 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Rick Alonzo, Council Members Ron Smith and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, City Attorney Andrakay Pluid, Deputy Police Chief Foster Mayo, and Economic Development Coordinator David Sims. Also present were Casey and Rachel Langord, Ralph Langford, Jerry Higgs, Marcia Cossette, Adam Arthur, Jessica Tingley, Loretta Hunsaker, Greg Cook, Ken Baker, Steven David Aver, and Laura Roady. Councilwoman Connie Wells was gone on personal business.

Steven David Aver spoke to council regarding the dog ordinance that is being considered. He said our old ordinance violates people's rights and the new ordinance is outside our authority. He said in 1899 Bonners Ferry was a village and it is now called City of Bonners Ferry and the Articles of Corporation have not been updated. He said we fall under the laws of 1899 and he read from those laws what the council's authority was. He said until the people vote to approve a new set of bylaws that we only have authority under the old laws. He said he is the reason there is a new dog ordinance before council. He said if the Board does anything to endanger his rights of property or his property rights there will be problems with him and PETA. He is not happy with the situation and the laws of the State. He understands that the city feels it is necessary to get involved in people's property rights concerning dogs. If they are being a nuisance that is okay. He has a problem with dog tags and the city making money off of it. If the city wants to have tags don't call it a license or tag. If people want to have a plate on their animal to identify its owner and return a lost dog to its owner, he does not have a problem with that. He said we have violated the State Constitution. The Constitution said people also have the right to Life, Liberty, Pursuit of Happiness and Property. Council should look at the Declaration and see if they are violating someone's rights. He hopes that council will see that the best course of action is to take the dog ordinance off the books as it violates people's property rights and the city does not have the right to impose criminality on people. Mr. Aver does not like the political forum and prefers the court system. Mayor Anderson suggested that he put his comments in writing. Mr. Aver said if a police officer comes on his property again there will be a court action. Mr. Aver left the meeting at 7:13 p.m.

Jerry Higgs said the Fire Chief spoke of the trucks coming through town with hazardous materials and there not being an emergency action plan. He said there was an accident south of Cocolalla involving a truck hauling these same materials. He encouraged council to form an emergency action plan and said ITD sent a representative to city council to speak and he was shocked that the city did not have a plan or a vision. Jerry said the Mayor told the ITD representative that we have not asked for a bypass. He wanted to know what makes the Mayor the grand arbiter of the citizens of this county as he has not heard of any serious meetings with the Commissioners, Kootenai Tribe, City of Moyie, or Chamber of Commerce to discuss the bypass on Highway 95. He said council needs to get out and hear what the people have to say as a five lane highway will take so much right of way that it will destroy all the ingress and egress to the commercial property. He said a three lane highway will not take care of the problem. He said Bonners Ferry does not have an emergency action plan and if there is an accident with the anhydrous ammonia and diesel fuel there will be an explosion and half of town will be gone. Jerry Higgs left the meeting at 7:18 p.m.

Deputy Police Chief Foster Mayo gave the police report. Since the last council meeting there have been two misdemeanor insurance violations, three DUIs, four theft reports, three driving without privilege, three incidents at Kootenai River Inn requiring reports, one residential burglary, one vehicle burglary at Super 1, one hit and run, sheltered four dogs, one dog bite, responded to six domestic situations including two in the county, eight warrant arrests, several traffic accidents, several assists to the Juvenile Probation Office for home visits, several intoxicated person calls, two felony probation violations, one ongoing credit card case, several welfare checks, two deceased person calls, two persons with mental illness, and a bomb threat at the high school that is still being investigated. Three officers completed a first aid course. There were three incidents with people having negative impact with animals, one on the Cow Creek Road with two young men that were extremely lucky as they rolled the vehicle over the bank and hit a tree and were able to break out the back window and climb to the road-. Foster thanked council for the printer. Chris Langan had surgery and should be back in four to six weeks. The weather is dangerous for any city employee to be outside so he encouraged everyone to be careful. Foster said he and Dave Kramer are considering publishing a weekly summary of police activities and they think this would be good way to help inform people of criminal activity.

Mayor Anderson welcomed Greg Cook from Panhandle Area Council (PAC). Greg handed out information to council. He said PAC is a non-profit organization that was originally formed in 1972 to promote economic development in the five northern counties. There is business development, community development, and workforce development. PAC looks at their role as facilitators or mediators for those across the area. They work with local governments, the Kootenai Tribe and Coeur d'Alene Tribe, and private entities providing a public/private/government interface. They also work with state and federal agencies. There have been over 800 projects since 1972. PAC helps build infrastructure and leases it to the municipalities and later sells it to the municipality for a minimal price. There are specialized loan programs to help facilitate economic development. There is a substantial loan fund to help emerging businesses in order to stimulate economic development. PAC also has a business incubator. He would be interested in helping set up an incubator in Bonners Ferry. He wants to help promote the Library project. Greg said emergency planning is one of the other services offered. They have worked on urban interface planning in the past. Mayor Anderson said the City has appreciated PAC through the years. He spoke of the fiber project and the urban renewal district. Stephen said PAC has been very helpful in grant applications and administration including the downtown projects and water projects. Greg said his focus will be on planning and strategies but will still move with the loan and grant programs. Greg Cook left the meeting at 7:33 p.m.

Stephen Boorman gave the administrator's report. The water crews are painting the filter bays and the project is going well. The steel tank is drained and we are looking at how to fix and seal the holes to stop the leakage. Unit 3 repairs have gone well and Riverside is expected to be here on Monday to put it back together. The oil saturation on the stator was tough for the contractor to get cleaned. They washed the stator and baked it four times.

David Sims said the Chamber of Commerce is putting on Kootenai River Days and the Chamber is thinking about asking the City to cover this under their insurance. Ron Smith asked if normally there is a joint agreement between the city and county. David said they will be asking the county as well.

Rick Alonzo moved to approve the consent agenda. Tom seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of payroll and accounts payable; approval of the Treasurer’s report; and approval of council meeting minutes for January 7, 2014, January 21, 2014, and January 27, 2014.

The Langford proposed residence was discussed. Mayor Anderson said he is aware of the project and wants more people to look at this as legal has suggested the matter go before planning and zoning. He said the proposal does not fit our ordinances unless the project is completed and the city would not have recourse and this is a fear of his. Ralph Langford said his grandkids want to put a trailer on his property. He handed out a picture to council. He said the trailer is 14 feet wide and they want to add a ten foot wide deck on it and then close in the deck as an addition when they can afford it. He showed a map of the lots that he owns and said there are no neighbors where the trailer will sit. He said it is up against a hill and is in a low income neighborhood. He said if the city will not allow this, he will give the kids some property outside the city limits but it would be cheaper for the kids to have it in the city limits because of the price of power and sewer. Ralph does not see what it would hurt in that neighborhood. He would like to give the kids three lots as it would make a big difference in how they live. Casey said the lumber and posts have been purchased and they are ready to go. Ron Smith asked what the question is. Stephen said the city zoning rules say that trailers have to be 20 feet by 20 feet and if a ten foot trailer has a ten foot addition then it could qualify. Ralph said the ordinance also says there has to be 1000 square feet in the trailer and this trailer has over 1000 square feet. Ron said it is tough to get started in these times and he thinks we should help people rather than hinder them. Rick agreed. Ralph said there is already a roof over the trailer now. Tom asked if decking is considered part of the structure. Ralph said when the trailer is set up the deck will be put on but cannot say when the deck will be enclosed. Tom has no issue except as he reads the ordinance it is not doable. Ron asked if this is a violation of our ordinance. Andrakay said in the black and white reading it is. She said the trailer does not meet the size according to our ordinance and the addition would bring it to meet city standards. Ralph told Tom that he is being hardnosed and not trying to help the public. Tom said the way he reads the ordinance, it does not qualify. Ralph said if there was a \$250,000 home in the neighborhood, he could understand council’s difficulty. Tom said the ordinance also says the home should be multi-sectional and he is not trying to be difficult but we have to follow the ordinance. Andrakay said she is only telling council what the ordinance says. Mayor Anderson said in the city limits of Bonners Ferry a person could establish a trailer park. He said Ralph could go to planning and zoning and establish a trailer park for a few spaces and not rent out any other spaces. He said he is just looking for a back door into the situation. Ralph said there is electric and water utilities there but no sewer. Ralph said there is an a-frame roof over the trailer and a ten foot deck and this will be covered also. Casey said they have two kids and will need another bedroom before long. Andrakay said the best option is to table the issue and talk about it further. Tom said the council has done things in the past and exceptions usually cause council to get bit. He is uncomfortable about bending the rules. Ralph understands council’s comments but wants them to approve the issue. Stephen said the city should look at a variance to see if it would qualify. Ron Smith asked how much that would cost. Stephen said it is \$150 and property owners within 300 feet will be notified and can comment on it. Mayor Anderson would like to see the issue go before planning and zoning. Ralph said he spoke to the building inspector. Ron Smith moved to table this until

the next meeting and not go through planning and zoning. The motion died for lack of a second. Andrakay said we would not be setting a precedence if there is a variance that applies. Stephen said planning and zoning does not make a final decision. Ron asked what the time frame would be. Stephen said it would be six weeks to two months. Ron moved to table the issue and go through planning and zoning for a variance. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”. Ralph, Casey, and Rachel left the meeting at 8:02 p.m.

Tom Mayo moved to approve the special event permit for Boundary County Parks and Recreation for the Swish 3 on 3 Basketball Tournament on July 11-12, 2014. Rick seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”.

Tom Mayo moved to have the first reading by title only of the proposed ordinance amending Title 5, Chapter 3, Article B of Bonners Ferry City Code pertaining to Dogs. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”. Attorney Andrakay Fluid read the title of the proposed ordinance.

David Sims spoke to council regarding the Augusta Street sidewalk and drainage project. He said this project is complicated due to the drainage. The engineers came up with the costs for the drainage, street repair, and the sidewalk but the sidewalk portion is very inexpensive in comparison to the drainage and street. The sidewalk is separate from the street. The swale is hydro seeded and it allows the sidewalk to be independent of the street elevation and it also allows for snow storage when plowing occurs. The project will go from Highway 95 to Stephens Street on the east side of the highway. There is a grant match of 7.4 percent. The cash match would be about \$80,000 for the City. David said this would be a bargain for what the city is getting out of the project. The street overlay would be asphalt. David said in order to be competitive we would probably have to commit to the \$80,000 grant match. The construction would be done in 2015. Stephen said the in-kind cost for the city will be \$28,000 and cash expenditures would be \$80,000. David said we need the Mayor to certify that the city will not have to purchase right of way and to also commit to the grant match. Mayor Anderson asked if the Boundary Tractor fence would need to be moved. David said we will not know this until the final design. Stephen said there are 30 inch drain pipes that get the water under the highway. Ron Smith moved to authorize the Mayor to sign the right of way certification and commit to the grant match. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”.

Rick Alonzo moved to approve the purchase of the bucket truck for \$132,169 for the electric department. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”.

Mayor Anderson said the Ambulance leasing the fire hall is a great idea but there are questions also. He said we are looking at becoming landlords if we do this. He said our fire hall is not ADA compliant and he would like to look at it again. He said it seems to be an unusual place to house people due to its size and lack of privacy. He is concerned about the utilities. He does not want to compete with private enterprise and if there is anyone with a rental within a reasonable distance from the ambulance barn, he does not want to lease the fire hall and harm business. Ron thinks this is more of a governmental thing than competition with private enterprise. Other than utilities he does not see a problem as it would allow for 24 hour ambulance coverage. Rick

asked when the building was built if it was for living quarters. David Sims said the original plans were for office storage. Rick does not know what the utility costs are at this time. Tom Mayo said Councilwoman Wells had a problem with the cost of cable and internet being provided by the city. Stephen said the city computer system needs to be separated from anything the Ambulance does. Tom said we need to find out if we can rent the facility due to the change of use. David said he thinks the building code would be a bigger concern than ADA standards. He said Pat Park could look at it. Rick Alonzo moved to table the use of the fire hall for the Ambulance. Tom Mayo seconded the motion. The motion passed, all in favor. Mayor Anderson suggested that the council get with the Fire Chief and look at the area being considered. Ken Baker said it would be used from 7:00 p.m. to 7:00 a.m. and the sleeping area of the small room in the back plus the kitchen and bathrooms would be used. Ken said this would help the Ambulance get their ALS license.

Proration of golf cart shed leases were discussed. Ron Smith moved to prorate golf cart shed leases at \$40 per month for new leases starting in July, August, or September. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”.

Rick Alonzo moved to authorize the re-bid of the Hazel Street waterline/sewer line project. Ron Smith seconded the motion. The motion passed, all in favor.

At 8:25 p.m. Rick Alonzo moved to go into executive session per Idaho Code 67-2345 (1) (b). Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”. At 8:45 p.m. executive session ended. No action was taken.

There being no further business, the meeting adjourned at 8:45 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk