

Mayor David Anderson called the fee workshop of November 4, 2014 to order at 6:30 p.m. Present for the workshop were Mayor Anderson, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells, and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, City Attorney Andrakay Pluid, and Planning and Zoning Administrator Lisa Ailport. Also present were Marcia Cossette and Dave Gray.

Lisa Ailport spoke to the group regarding fees. She had given council handouts to review during the workshop. Lisa explained how her fees were determined. Council asked about current planning and zoning fees. The city charges \$150 for planning and zoning issues but refunds the difference between that and the publication costs. There are also subdivision fees charged by the city. Lisa said the city has \$10,000 budgeted for planning and zoning for fiscal year 2015 and she would like to see the pass through fees set to help offset the planning and zoning expenditures.

Lisa showed council the fee schedule for Priest River. She said the proposal of rates is due to the estimated costs she determined to be accurate. Lisa said she rewrote the special use permit application to help better determine the findings of fact as Lisa feels this is a responsibility of the applicant.

Ron spoke of special use permit versus conditional use permit. Lisa explained Idaho law says the two are interchangeable.

Rick asked, for example, if a special use permit fee of \$500 covered all the costs that the applicant would not be required to pay anything additional. Lisa said this is correct. Ron asked what the applicant will pay if they come in for a conditional use permit. Lisa explained that this information is on the work sheet. She said the estimation of costs are based on efficiency but there should be the ability to charge more if necessary. Ron would like to know what the actual costs would be if he was a person inquiring. Lisa said if the application is not complete that it could cost more as the fees are based on efficiency. Connie agreed with Ron and said we have not been charging hardly anything and it seems high to charge more than the base fees stated on the fee schedule. She said it is a lot when people are used to not paying for anything and possibly after they get used to the fees we could raise them. Tom Mayo said people have not been paying what they should have for a long time. Andrakay said she, Lisa, and Stephen's time are getting put off on the tax paying general public when essentially the issue is benefiting one person. Connie said the people applying for these permits are city residents and the city employees get paid the same to take care of city business. Andrakay said this is a tradeoff of time spent on planning and zoning issues for one specific person rather than working on other city issues. Lisa said the budget is strained by these applications. Rick said someone coming in for a special use permit is looking to get something that benefits them. Lisa explained the costs she has determined as being the base fee and then the city has the opportunity to recoup the additional fees that are paid. Stephen said a lot of the applications that come in are clean and straight forward but others are not, and a lot of staff time is spent to get the issue moving forward.

Lisa spoke about the Building Inspector sending an email for council's consideration of increasing the building valuations from the 2001 Code to the 2010 Code. This would bring the fees more in line with what the valuations are today.

Ron would be more interested in the public's comments during a fee increase hearing. Lisa said the fees were made available in the council packet for the public to review. Lisa asked for clarification of the fees that council wants to see. Mayor Anderson said the examples that Lisa provided from the other cities were more of a fixed cost. He said some of the additional expended costs can become questionable. He spoke of the publication costs and mailing fees. He does not have a problem with the fee structure that Lisa developed. Lisa asked what the typical publication cost would be. Kris said they are about \$70 per publication.

Lisa asked for feedback on administrative procedures. She said the current ordinance states that applications are heard at the planning and zoning level and a recommendation is made to the City Council. Idaho Code regarding special use permits only requires one public hearing, but Lisa said this can cause some problems by not holding an additional hearing at the council level because there are strict guidelines as to what conversations can be had about that file. She has some reservations for only holding one hearing as council cannot ask questions or be presented any additional information. Lisa said she has heard from staff that council likes only one public hearing but that puts council on a very tight guideline as council can only take the record produced by planning and zoning and make a decision. Ron thought that the city has a planning and zoning hearing and then council holds an additional hearing. That is not the way the city currently operates as they have just taken the planning and zoning recommendations. Stephen said historically when the issues came up in the past if they were not controversial then the council did not hold a hearing and made a decision, but if it was a controversial issue then council held a hearing. Ron does not like this as he thinks planning and zoning should have a hearing and then city council should have a hearing. Andrakay said ICRMP does not cover for planning and land use type decisions so if a council member asks a question or there is a procedural issue that is challenged, the city would not have insurance coverage. Ron thinks we should have a second hearing. Andrakay agrees that this would reduce the risk. Lisa also thinks this is what should be done as it gives the applicant and the public more opportunity to engage in a public process. She said the costs would be borne by the applicant if we adopt a new fee schedule. It would take two to three weeks longer if there is a second hearing.

Mayor Anderson called the regularly scheduled meeting to order at 7:09 p.m. Present for the meeting were Mayor Anderson, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells, Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, City Attorney Andrakay Pluid, Fire Chief Pat Warkentin, Police Chief Robert Boone, Water/Sewer Department Superintendent Adrian Dice, and Economic Development Coordinator David Sims. Also present were Ron Frederickson, Adam Arthur, Jessica Tingley, Marcia Cossette, Carolyn Testa, Robert Hanover, Jerry Higgs, Dale Simpson, Ruth Sutton, Mike Klaus, John Savage and Dave Gray.

Pat Warkentin gave the fire report. The fire department was called out five times last month. He said Alan Hamilton attended training in Pueblo for hazmat response training and all the costs

were borne by Burlington Northern Railroad. Pat has two new firemen on probation. Ron Smith asked if the contract is in effect with Boundary Volunteer Ambulance (BVA). Pat said it is, but he does not expect to see the fire hall used steadily. He said the BVA run volume is increasing.

Police Chief Robert Boone gave the police report. During the last two weeks fourteen arrests have been made by the police department including two excessive DUIs, two felony warrant arrests, six warrant arrests, one unlawful possession of a fire arm, resisting an officer, two marijuana possession violations, one controlled substance and a petit theft. There were also two vehicle accidents that were investigated and officers wrote 12 speeding citations.

Stephen Boorman said the ICUA meeting is coming up in January in Boise and it is a good opportunity to meet the Legislators. The Northside water tank interim repair is complete. DEQ will be here tomorrow for the five year inspection. Prepping for the city yard paving is being done but paving is dependent on the weather. Rich Brown completed the sidewalks near the Meeker parking lot and the one behind the Corner Drug building. The area behind the Museum will be allowed to settle and then be paved in the spring but he is hopeful that we can get the alley taken care of.

David Sims said the New Mobility West visit went very well and they left a power point presentation and will have a report for the city in November. He said we need to fix the existing highway as a three lane highway. Idaho Transportation Department (ITD) has \$5.4 million in the Statewide Transportation Improvement Program for our highway project. He said we don't know if the anticipated project will fit within the amount of money allotted. David said there will be a drainage area along the highway between the highway and the sidewalk. All drainage will be underground. David said the SPOT bus issue is hanging out also. He said the grant starts the first of April. He said match is needed for this grant so not to be surprised if the city is approached for this. The next BEDC transportation committee meeting will be at city hall tomorrow at 4:30 p.m. The engineer from ITD that will be working on the highway project will be here tomorrow. Mayor Anderson said ITD wants to see the project plans by December. Ron Smith asked about the Augusta Street grant. David said the State is behind with their paperwork. David said the sidewalks being separated from the street is to help make people feel safe as well as a place for snow storage.

Connie Wells moved to add a late agenda item to discuss declaring surplus and selling the snow plow for the Euclid loader. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

David Sims left the meeting.

Connie Wells moved to approve the consent agenda. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; approval of the Treasurer's Report; and approval of the October 21, 2014 council meeting minutes.

Tom Mayo moved to have the third reading by title only of the ordinance amending Title 2, Chapter 1 of City Code. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Attorney Andrakay Pluid read the title of the ordinance amendment.

Rick Alonzo moved to adopt Ordinance #544 amending Title 2, Chapter 1 of Bonners Ferry City Code. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson said Josh Knaggs is requesting a special event permit for an Art Show on December 5, 2014. Police Chief Robert Boone said it looks like Josh Knaggs wants to close off a portion of Kootenai Street for the function he is planning at Soulshine. Fire Chief Pat Warkentin said he is also planning to have a heating source for the event. The issue will be discussed later in the meeting when Mr. Knaggs is present.

Ron Smith moved to approve the special event permit for the Swish 3 on 3 Basketball Tournament from July 10, 2015 downtown. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Rick Alonzo moved to approve the catering permit for the Kootenai Tribe of Idaho dba Kootenai River Inn for the Ducks Unlimited Banquet on November 7, 2014 at the fairgrounds. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Pat Warkentin introduced John Savage from the fire department. He said John has completed his probationary period at the fire department and Pat recommends approving him as a volunteer. Connie Wells moved to approve John Savage as a volunteer fireman. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Dave Gray left the meeting at 7:27 p.m.

Commitment to replace the Northside water tank was the next topic of discussion. Stephen said the tank size being looked at is now 350,000 gallons. He said we have a section of waterline that also needs to be replaced between the current round Northside tank and the new tank being constructed. He said the cost of the proposed construction is estimated to be about \$800,000. He said we may only garner \$300,000 from the grant funding. Stephen said the commitment to replace the tank is needed for the grant application. Ron Smith asked how we will fund the construction. Stephen said we will hopefully get grant funding for a portion and borrow through an interdepartmental loan by extending the loan for the clarifier project and district one line loan. Ron asked about rate impact. Stephen said we have three years left on the current loan and the rate impact would not be very much as we are trying to keep the payment about the same on the loans but it would extend the life of the loan out five additional years. If the grant is not successful then council will have to look at funding.

Rick Alonzo moved to proceed on getting everything going on the new water tank, whatever that entails in the process. He said we need to move forward with the end goal of replacing the tank

by whatever means necessary pending the receipt of the grant. Connie Wells seconded the motion. Ron asked about the possibility of construction if the grant is not awarded. Stephen said if the grant is not awarded then council will have to revisit the tank issue. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells asked about the contract proposed with Nancy Mabile and the Fair Housing Resolution. Stephen said these costs are built into the grant. He said when PAC did our grants the fees were built into the grant and they used a different funding mechanism. Since Nancy Mabile is not with PAC any longer we will contract with her individually. The group discussed the fees noted in the contract. Ron asked if we do not get the grant if we are out the \$4,500. Stephen said we would be. Connie Wells moved to authorize Mayor to sign the agreement with Nancy Mabile for grant writing and administration. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The Liquid Engineering contract was discussed. Adrian Dice said the city has six water tanks and four of them have been cleaned and are in good shape. He said the Northside round tank has not been cleaned in 18 years but it appears to be in good shape. He said we are recommending that the tank be inspected and cleaned next spring. The reasoning for the early approval is to get on the contractor’s schedule. He said there will be an additional charge of \$350 for remote access as they cannot get their equipment up to the site. Connie asked if this tank will be taken off line. Stephen said we want to keep it online. Ron Smith moved to authorize the Mayor to sign the contract with Liquid Engineering for the round Northside tank cleaning. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Andrakay spoke to council regarding the exclusive rights for commercial garbage hauling within the city limits. She said an ordinance is not the most efficient way to handle the commercial hauling as it puts the city in the business of policing garbage haulers. Andrakay said other cities do not regulate garbage haulers by ordinance but control actions by contract. Her recommendation is to give Frederickson’s the exclusiveness for residential and commercial garbage hauling and to address it when the contract expires. Rick Alonzo moved to give the exclusiveness for residential and commercial garbage hauling to Frederickson’s garbage hauling service and if someone comes in the future to do commercial hauling then we will look at it then. Ron Smith seconded the motion. Connie Wells said she does not like this. Tom Mayo said if we are waiting for another contractor to come to town, why do we have to address it now? He thinks it would be different if it were always in the contract but it has not. Tom does not feel comfortable monopolizing the commercial garbage hauling. He questioned why we are looking at this today. Andrakay said if we are looking at contracting with Frederickson’s for residential why not give him the commercial garbage hauling also. Stephen said the capital investment for a garbage business is quite significant. Andrakay said the commercial pickup does give Frederickson’s more security to help him operate his business. Connie asked why people cannot take care of their commercial garbage. Andrakay said it would be prohibited. Connie thinks it is over kill. Rick Alonzo “yes”, Ron Smith “yes”, Connie Wells “no”, Tom Mayo “no”. Mayor Anderson voted “yes” to break the tie so the motion passed.

Andrakay explained the golf addendum. She said it is the inventory that Ralph owns and the list will help us track equipment in case the contract should end and the city potentially have to buy the equipment. Mayor Anderson said this should have been part of the original contract. Rick Alonzo moved to authorize the Mayor to sign the golf agreement addendum. Ron Smith seconded the motion. Tom asked where the figures came from and Andrakay said Ralph came up with the detail. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Tom Mayo “yes”, Connie Wells “yes”.

Mayor Anderson spoke regarding the memo requesting additional days off for the employees. Connie Wells moved to give the day after Thanksgiving and Christmas as additional days off but not the day after New Year’s. She would like to let the employees go home about 3:00 p.m. on Christmas Eve. Tom Mayo seconded the motion. The motion passed – Connie Wells “yes”, Tom Mayo “yes”, Rick Alonzo “no”, Ron Smith “no”. Mayor Anderson voted “yes” to break the tie vote and the motion passed.

Connie Wells moved to go forward with the Christmas Party on December 6, 2014 and hire Alison Henslee to cater. Tom Mayo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Tom Mayo moved to adopt the fair housing resolution. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.  
(Clerk’s note: Resolution 2015-11-01 is the number for the Fair Housing Resolution).

Rick Alonzo moved to adopt the Citizen Participation Plan. Connie Wells seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Josh Knaggs joined the meeting at 7:55 p.m.

Stephen spoke regarding logging near the golf course. He said this will remove trees on the right of way near the highway and open up the view of the golf course. He said Idaho Transportation Department (ITD) is in favor of the project but wants to be cautious about the stability of the slope. Stephen said the Idaho Department of Lands will have to administer the project and ITD will get the sale proceeds. Ron Smith moved to authorize the Mayor to sign the letter to ITD regarding logging near the golf course. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Fees were discussed. Council discussed having an early meeting on November 18, 2014 to go over the proposed fees for a fee increase hearing.

Stephen spoke about the late agenda item addition of the snow plow built for the Euclid loader that was sold at the last auction. He said the plow could not be sold to anyone else as it is a unique piece for a 1966 Euclid loader. Andrakay said we can declare the snow plow surplus and sell it if the price is above scrap. Rick Alonzo moved to declare the old plow blade surplus and sell it to Cliff Kramer. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Josh Knaggs said as part of his master degree program he is planning on putting on an art show at Soulshine to meet requirements for his graduation. Connie asked how he will display his art. Josh said the art will be on the inside of the building but he would like the outside street to be used for spill over. Rick said the fire chief expressed concern about the fire damaging the street. Josh explained that he has contained covered fire pits. The police chief did not have a problem with the event. Rick Alonzo moved to allow Mr. Knaggs to have his art show on December 5, 2014 from 6:30 p.m. to 10:00 p.m. at Soulshine and for the fire department and police to do what is necessary to block off a portion of the street. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The meeting adjourned at 8:10 p.m.

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David K. Anderson, Mayor

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Kris Larson, City Clerk