

Mayor David Sims called the regularly scheduled council meeting of December 6, 2016 to order at 7:00 p.m. Present for the meeting were Mayor Sims, Council President Rick Alonzo, Council Members Ron Smith, Connie Wells (participating by phone), Adam Arthur, Clerk Kris Larson, City Administrator Mike Klaus, City Attorney Andrakay Pluid, Planner Lisa Ailport, Police Chief Vic Watson, Fire Chief Pat Warkentin, Line Superintendent Kevin Cossairt, Line Foreman Brian Kerins, Lineman Cody Reichart, and Lineman Derrick Barras. Also present were John and Sharlene Delaney, Bob Saboe, Jessica Tingley, Patty Shea from Avista, Dave Gray, Jerry Higgs, Marcia Cossette, Owen Plato, Mike Listman, and Henry Steiner.

The Avista Gas Franchise hearing opened at 7:01 p.m. Mayor Sims said the term of the agreement is 25 years. There were no comments from the public or council so the hearing ended.

Rick Alonzo moved to suspend the rules and read the Avista Gas Franchise Ordinance by title only. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”. Attorney Andrakay Pluid read the title of the Franchise Ordinance.

Ron Smith moved to adopt Ordinance 559 Avista Franchise. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

The legislative hearing for the minor subdivision amendments in City Code Title 12, Chapter 5 opened at 7:04 p.m. Lisa Ailport gave an overview of the legislative hearing process and presented a power point presentation. The purpose of the change is to streamline review of minor subdivisions by removing the requirement for a public hearing; to provide additional applicability language; to provide for clarity in the exemption standards; to provide administrative procedures for reviewing and entitling minor subdivisions; and to remove further division of land standards. This amendment was initiated by staff and supported by the Planning Commission who held a public hearing on September 15, 2016. The new proposed language seeks to make preliminary plats be handled by staff rather than going through planning and zoning and council. At the time of preliminary plat submittal, all lots have adequate water and sewer services available to the subdivision. They do not require extensions of lines. The transfer of land between two adjacent property owners does not result in the creation of any additional lot or parcel. The City Administrator will be the decision maker for the minor subdivision after the comment and review period is closed. The decision is based on Idaho Code 67-6511 after review of the Comprehensive Plan. There is a two year period for the applicant to finalize the plat after approval. The reason statement is that Bonners Ferry City Council finds the subdivision amendment in accordance with the Comprehensive Plan. Jerry Higgs asked if there is opposition who pays for the hearing. Lisa said that will need to be determined in the fee schedule. The hearing closed at 7:20 p.m.

Rick Alonzo thinks it is a good idea to streamline the minor subdivision process to make it better for people needing this. David Sims thinks it is good and it helps infill areas of the City ready for development. Connie thinks it is a good plan and staff is doing a good job of amending the

ordinances. Adam Arthur agreed that is it good. Rick Alonzo moved to approve File AM04-16 to make changes to Title 12, Chapter 5 City of Bonners Ferry Code modifying the minor subdivisions chapter by removing the requirement for a public hearing; by providing additional applicability language; by providing for clarity in the exemption standards; by providing administrative procedures for reviewing and entitling minor subdivisions; and by removing further division of land standards, finding that it is in accordance with the general and specifics goals and standards of the City of Bonners Ferry comprehensive plan, as enumerated in the findings and reasoned statements below and based upon testimony received at this hearing. I further move to adopt the following reasoned statement and conditions of approval as written. Reasoned statements: The staff report and subsequent evidence in the record are the basis for the findings required in order to reach a reasoned decision. Based upon those findings, the following reasoned decisions are adopted by the Bonners Ferry Planning and Zoning Commission and City Council: 1) the amendment is supported by the City of Bonners Ferry Comprehensive Plan. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Ron Smith moved to have the first reading by title only of the ordinance 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”, Connie Wells “yes”, Adam Arthur “yes”. Planner Lisa Ailport read the title of the minor subdivision code amendment ordinance.

Jerry Higgs wanted to discuss the franchise agreement with Frontier. He showed the group different phone books and said the phone books have gotten smaller each year. He said Frontier is not providing residential phone numbers unless they are specifically requested. Jerry complained about the size of the print. He would like for people to be able to call their neighbors. Jerry also said we need to be cognizant of Frontier and how it could be losing the base support to run its operations.

Police Chief Vic Watson gave the report for the past three weeks. There were four felony controlled substance arrests, one felony parole violation, one misdemeanor parole violation, two warrant arrests, five petit thefts, one civil dispute, on burglary, one DUI, two vehicle accidents, one agency assist, one investigation of suspicious conduct concerning abuse of a child, two driving without privileges, one battery, one delivery of a controlled substance, two no contact order violations, on school incident, and two unattended deaths.

Fire Chief Pat Warkentin said the fire department has not been too busy. There were two calls since the last meeting. One was report of a CO2 alarm in an older resident’s home. The issue was a bad battery in a smoke detector. Today there was a vehicle accident that took time. Our fire department participated in the Chariots of Fire Event where young children were given rides on the fire trucks. Pat said he is working on the transition of finding a new fire chief.

City Administrator Mike Klaus said there was a letter from the company leasing our cell tower with an offer to extend their lease. There was a tabletop exercise for the hydro project that was well attended and directed by Lisa Ailport. The protocol of Bureau of Homeland Security was

followed. Piper Jaffrey gave an update on the bond refinancing with the Idaho Bond Bank and the amount of funding needed by the Bond Bank has been reached. We do not have a current interest rate at this time.

Rick Alonzo moved to add late agenda items to authorize expenditure up to \$16,000 for a Surplus Property pickup purchase and the temporary hire of Bruce Dally. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Connie Wells moved to approve the consent agenda. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; approval of November 15, 2016 council meeting minutes; approval of November 16, 2016 and November 18, 2016 special council meeting minutes.

Rachel Fireman joined the meeting.

The billing policy for the City of Bonners Ferry was discussed. Mayor Sims said the part of the policy that was debated was the part that dictates when a service is disconnected that the resident’s service has to be brought up to City Standards including an external main disconnect. Mayor Sims explained reasons he does not like this. He said the cost to have an external disconnect installed ranges from \$400 up to \$1,000. Mayor Sims said current NEC Code does not require an external main disconnect, and when he checked with six other utilities found that they did not require this. Mayor Sims said some of the City’s services do not have an external main disconnect yet we are requiring our customers to have this. He said it is good to keep in mind the constituents we serve. According to the Idaho Department of Labor Regional Economist there are 20 percent of households in Bonners Ferry who have income than \$15,000 per year. He said 40 percent of the households that meet an unexpected expense of \$400 say that they would have to borrow money or sell something. He would like to see this policy enforced when a property sells rather than when there is a disconnect. Mayor Sims said safety is needed for the public as well as our employees. He said there is a safety manual that tells how to replace a meter safely with proper equipment. Ron Smith said we looked at the resolution last time and he is not in favor of making any changes in the billing policy from his previous motion. He said he does not care what Northern Lights does. He is not willing to make any changes to the policy that we actually approved five weeks ago but did not have the official resolution. He said as long as the people that do the work think it is unsafe he will not change his mind. Mayor Sims said we have the situation now where we are changing out the meters under load. Rick Alonzo is not in favor of changing the policy as he thinks it is important to keep the employees safe, and there are fewer than 12 disconnects per year and it is not a huge issue. He thinks people have the opportunity to come in and take care of their bill prior to the disconnect. He said many of the people are renters, and he thinks we need to make sure the landlord is notified that the tenant may have the electricity disconnected. Mayor Sims said it is a big deal to the 12 people that are being disconnected, but he does realize we need to keep our employees safe. Ron Smith said he thinks it is more important that we keep our people safe. Connie agrees with Rick and knows it is hard on the people that get disconnected, but she understands that it is a safety matter. She

suggested requiring upgrades when property sells and when the service is disconnected. Mayor Sims said most people are out of options when they receive the delinquent utility letter. Adam Arthur said we are not letting customers know, and we need to let the landlords know. He thinks if safety is the goal we should do both. Mayor Sims asked what safety equipment is used. Kevin Cossairt said glasses, gloves, and pullers. He said if the jaws break the hot service is in your hands. He said most of these services are face level. Rick clarified that if there is not an external disconnect that when the meter is reinstalled that the customer will have electricity on in the home and that could be bad if they have something turned on in the house. Kevin agreed that this causes liability for the City. Mike Klaus went over the minor changes to the billing policy since the last review (mostly typographical corrections). Adam Arthur asked if this addressed uniformity and gave the example of a customer that had a tree fall on his service and had it repaired and at a later date had to have the service upgraded. Kevin gave an explanation of a wind storm taking out the customer's mast and service. Brian Kerins said we are trying to get the customer back in service as soon as possible after a storm. Kevin clarified that they were to require upgrades when there were disconnects not acts of God or storm damage. Rick said he would like to see a letter written to each realty company so they can let prospective buyers know about the requirement to make this as fair and equitable as possible and keep our crews safe. He said we have a grievance board to help folks. Jerry Higgs recommended that the City annotate on the bill which services do not meet the standards. Ron Smith moved to pass the billing and collection policy. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “no”. Ron Smith moved to adopt Resolution 2016-12-01 Adopting Amendments to the Billing and Facility extension Policies. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “no”.

Deliberation for the special use permit application for John and Sharlene Delaney to operate a professional office (Boundary Abstract Title Insurance) in a Residential A zone was held. City Planner Lisa Ailport said after the Planning and Zoning hearing the applicant had no further comment or objections so a hearing was not required by city council. Rick Alonzo moved to approve File SUP 07-16 for a professional office space in the Residential A zone at 6977 Main Street, finding that it is in accordance with the general and specific goals and standards of the City of Bonners Ferry Comprehensive Plan and zoning codes, as enumerated in the findings and standards table above. I further move to adopt the following reasoned statement and conditions of approval as written. Reasoned statement: the staff report and subsequent evidence in the record are the basis for the findings required in order to reach a reasoned decision. Based upon those findings, the following reasoned decisions are adopted by the Bonners Ferry Planning and Zoning Commission/City Council: 1) the special use is allowed for in the zone district in which it is located; 2) the use will be harmonious with and in accordance with the general objective or specific objective of the comprehensive plan, based upon the evidence of record enumerated in the findings above; 3) the use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity. Therefore, the use will not change the essential character of the area; 4) the use will not be hazardous or disturbing to existing neighboring uses; 5) the use is served by adequate public facilities and services, or that the person responsible for providing such services will be able to

provide any such service; 6) the use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community; 7) the use will not involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other factors determined to be nuisances; 8) the use will not have vehicular approaches to the property that create interferences with traffic on surrounding public thoroughfares; 9) the use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. Adam Arthur seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Connie Wells moved to approve the Mayor’s recommendation to reappoint Traffic Safety Committee Members Richard Hollenbeck, Howard Kent, and Silas Thompson with terms expiring December 31, 2018. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Adam Arthur “yes”, Connie Wells “yes”.

Ron Smith moved to approve the Mayor’s recommendation to reappoint Steve Nelson and Louise Carter to the Golf Committee with terms expiring December 31, 2018. Rick Alonzo seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Mike Klaus said Boundary County received a Federal Lands Access Program (FLAP) Grant to rebuild Riverside Street from the City limits to the Myrtle Creek Bridge. The new road design includes dropping the road grade and widening the travel way to accommodate pedestrian and bike traffic on one side of the street. To provide for traffic continuity and safety, Mike thinks it would make sense for the City to discuss the idea of applying for a FLAP Grant to reconstruct Riverside Street within the City Limits. Mayor Sims said there would be less City involvement in the FLAP grant projects and it would be better for us. The City application would be from Riverside Street to City limits. Rick asked if we would lower the dike. Mayor Sims and Mike said we would not lower the dike but would widen it. The match for the City would be 7.34 percent. Mike thinks BATT would be willing to provide a letter of support.

Mayor Sims said the first phase of the Highway 95 project will be from Alderson Lane to the Kootenai River Bridge and construction will be in 2018. It had been pushed to 2019 but is now back to 2018.

Rick Alonzo moved to authorize the visitor center janitor to clean the fire hall as stated in the memo. (Clerk’s note: specifically the entryway, upstairs and two stairways, cleaning to be done on an as needed basis). Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Mike Klaus said the new water department crew cab has been used by him for a vehicle. He said the S-10 is having issues. Today we received notices from Idaho Surplus Property for used pickups that are available until tomorrow. He said one thought we had, since most of Mike’s wage comes out of electric, was to pay the water and sewer fund half of the water crew cab purchase price. This way the truck Mike drives would be funded out of all the utility funds.

John Delaney said he needs a work vehicle and the surplus vehicle would work for him. He would put a flatbed on the pickup. Mike would have John Delaney look at the surplus property vehicles and pick which one would be best for him. Adam Arthur moved to authorize the expenditure of up to \$16,000 for purchase of a Surplus Property pickup. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

Mike said he would like to hire Bruce Dally on a temporary basis starting tomorrow at the wage he was previously making. Rick Alonzo moved to hire Bruce Dally as a temporary employee. Ron Smith seconded the motion. The motion passed – Ron Smith “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Adam Arthur “yes”.

The meeting adjourned at 8:17 p.m.

David Sims, Mayor

Attest:

Kris Larson, City Clerk