

Council President Mike Klaus called the regularly scheduled council meeting of February 20, 2013 to order at 7:00 p.m. Present for the meeting were Council President Mike Klaus, Council Members Rick Alonzo, Connie Wells, and Tom Mayo, Clerk Kris Larson, City Attorney Will Herrington, Police Officer Heiko Arshat, Fire Chief Pat Warkentin, and Economic Development Coordinator David Sims. Also present were Adam Arthur, Jessica Tingley, Jerry Higgs, Barbara Hansen, Pat and Warren Mahoney, Tim Fulton, Eric Olson, Delton Amoth, Dave Gray, Jackson Hazdovac, Ruth Sutton, Dale Simpson, Doug Ladely, Sr., Robert Hanover, and Laura Roady from the Bonners Ferry Herald. Mayor Anderson was gone due to illness.

Robert Hanover spoke regarding no parking on Riverside Street. He does not see the logic for putting up no parking signs on Riverside Street, because if anyone parks on Riverside they are parking on the street. He thinks common sense should rule rather than having more no parking signs.

Jerry Higgs spoke regarding the compression brake ordinance. He said given the city's past history with ordinance enforcement he does not know why we are even considering this. He spoke of the house near the top of the south hill and the feral cats and the problem of a house on Kaniksu where there are living quarters in a barn and there has been no enforcement by the city for this violation. He also said he has reported a residence on Westview with a business where delivery trucks frequent and said there is no business license for this person on record. Across from Kaniksu Health Services there is a tree blown down and said the city should have an ordinance for nuisances and debris. He said good luck enforcing the compression brake ordinance.

Gary Leonard said he is working on the 4th of July fireworks celebration again this year. He is hopeful to garner \$6,000 in donations and would like to set up a donation account at the city so the city can take in the revenue and pay the expenses. He said a source for a sound system is needed as it is a big part of the celebration. He spoke of excess donations over expenditures and said he would like to see the excess sent to a local charity. Clerk Kris Larson said the City and Boundary County sponsor the event for insurance purposes and this would be a good topic for the city/county meeting on March 11. If there are not enough donations the questions would be who would fund the shortfall. This may be something we could speak to the county about. Rick Alonzo said he does not see a problem with the donations and expenditures being handled by the city. Gary left the meeting.

Eric Olson asked that council exempt the north hill when they are thinking of adopting the jake brake ordinance. Rick Alonzo said the proposed ordinance is for prohibition of unmuffled compression brakes but there is also a clause that says if there is an emergency any brake can be used. Rick said the ban of jake brakes is not correct as it is only for unmuffled jake brakes. Tim Fulton said muffled jake brakes are loud and he is concerned about enforcement for the officers to know whether or not a jake brake is muffled. Tim said people evidently did not think of the jake brakes when they bought their property. Eric asked if there would be warnings before citations are written. Tim Fulton said it is a safety issue all the way down the hill. Rick said safety on the hill is the number one priority. Will Herrington said it will be an infraction penalty and the fine would be \$100. Warren Mahoney asked if inspectors at the weigh station and border could inspect the trucks for mufflers. He said he also has driven trucks with jake brakes and can shift down far enough to not use his jake. Eric Olson disagreed. Mr. Mahoney asked about why trucks cannot muffle their brakes like a pickup. Rick said only DOT can enforce the truck

mufflers. Eric and Tim said they have mufflers and Tim said a person cannot tell by looking if there is a muffler on the trucks as they are designed differently.

Police Officer Heiko Arshat gave the police report. He said there was an intoxicated male at the Kootenai River Inn Casino who threatened a woman and a security officer with a gun. The man was arrested and there were no injuries. The Police Department and Sheriff's Office have been working with the Kootenai River Inn staff regarding these types of incidents. There was another bomb threat at the high school this week, and the incident is still being investigated. Since the last meeting there have been two felony DUIs, two domestic batteries, threats and telephone harassment, an aggravated assault, a theft, driving without privileges, two driving while suspended, felony possession of narcotics, felony arrest for possession of meth, misdemeanor warrant arrest, and a juvenile trespass near the hospital.

Fire Chief Pat Warkentin said the flag is up at the fire hall and it is in service thanks to the city employees that worked on it. Tom Mayo asked that the crews know that it is appreciated. There was a smoke call at Valley View but it was a false alarm. There was a chimney fire on the south hill, an EMS call on Boise Street that took seven firemen to assist with the call, Wells Fargo had a gas odor but it turned out to be an external odor to the building such as from a vehicle, and the department also responded to the bomb threat at the high school. Pat said there is an issue being considered at the Legislature to raise the load limit on trucks to 123,000 pounds weight limit rather than 80,000. It is figured that there will be an increase in fatal accidents, stability problems with the trucks and brakes on the trucks, and infrastructure degradation due to the increased weight. Pat said with Bonners Ferry dealing with the north/south traffic he is concerned about the increased weight limits. Tom Mayo asked Eric Olson what the load limitations are in other states. Eric said Washington is 105,000 pounds, Montana is 104,000, and Idaho is 105,000 pounds. He said it is 80,000 pounds on five axels in the interstate national system and they are talking about going to 97,000 pounds on six axels. In Idaho there is a 105,000 pound limit on eight axels. Tom Mayo asked about disposal of explosives at the landfill. Pat said there were a couple military ordinances in the Hall Mountain Fire Department area that needed to be disposed of. There was a fragmentation grenade and CS that was disposed of on Tuesday and additional explosives had to be added for the disposal creating a large noise.

David Sims spoke of the personal property tax issue. He said it affects all governmental agencies in our county. The shift of tax would be significant in our community to homeowners and small businesses and in the county to ag land. Association of Idaho Cities is hopeful to trigger the \$100,000 exemption in the 2008 House Bill 599A. Association of Idaho Cities, Idaho Association of Counties, and the School Board Association are in support of 2008 proposal that would cost the State about \$20,000 million per year rather than the Governor's proposal that would cost the State about \$90 million per year. It would be quite damaging to urban renewal agencies but the alternate bill would be better than the original proposal.

Blackfoot has decided not to do the fiber project in Sandpoint and Ponderay. US Metronets does not have resources to look for another source so it looks like the fiber project is done.

Mike Klaus said the personal property tax will affect the general fund substantially unless there is a replacement and in time it will hit local governments. David said the proposal is \$50 to \$90 million coming out of the State budget and it has to come from somewhere so it is likely that other programs will be cut because there is no mechanism for replacement.

Connie Wells moved to add the late agenda item to confirm the Mayor's appointment of David Sims to the urban renewal agency board. Rick Alonzo seconded the motion. The motion passed – Mike Klaus "yes", Rick Alonzo "yes", Connie Wells "yes", Tom Mayo "yes".

Connie Wells moved to approve the consent agenda. Tom Mayo seconded the motion. The motion passed – Mike Klaus "yes", Rick Alonzo "yes", Connie Wells "yes", Tom Mayo "yes". The consent agenda contained the following: roll call; approval of accounts payable and payroll; and approval of February 5, 2013 council meeting minutes.

Tom Mayo said he does not have an issue with the no parking signs on Riverside and it is a narrow street and people do not use logic at times. He said farm equipment is moved through this area and the street is too narrow for parking. Connie agreed with Tom. Mike Klaus said from the sign configuration it does not impact Robert's property as much as it did before. He considers the opinion of the street department and weighs it heavily. Rick said he thinks this configuration is good and the north side of Riverside is a walking/bicycle path. He said originally the traffic safety committee had the area posted no parking out to the tennis courts. He does not think the no parking signs hurt anything. Robert Hanover said he did not like the signs near his property where he could pull off. He cannot find any complaints of parking on Riverside Street. He thinks it is a lot of money for signs for an infraction that has not occurred. Tom Mayo moved to approve the no parking signs on Riverside Street. Rick Alonzo seconded the motion. The motion passed – Mike Klaus "yes", Rick Alonzo "yes", Connie Wells "yes", Tom Mayo "yes".

Mike Klaus asked for clarification of ordinance readings. Will Herrington said there is a requirement that an ordinance be read by title at three separate meetings and once in its entirety or council can waive the requirements of reading at three different meetings. Connie Wells said she is not in favor of the compression brake ordinance because she agrees with the truckers. She thinks it will be hard to enforce and to tell if they have mufflers. She said people that buy homes in the areas near the hills should know there will be noise. She thinks it will be difficult for the police to enforce and would like to see signage put up first before the ordinance is passed. Tom Mayo said he also wonders why we should pass the ordinance if we can put up signage and there is not going to be an extended enforcement issue. Rick recommended tabling the ordinance until we can do further research. He said after speaking to the State it is his understanding that they need an ordinance number before signage can be done. Will Herrington said the police are at the entrances to town and if a truck is speeding they will be checked by the officers. Will does not have a preference as to whether or not the ordinance gets passed. Connie feels like we have enough ordinances on our books. Mike Klaus said he is neutral as he does not hear the noise. He likes the idea of a sign as he wants to make sure truckers are using their brakes on the north hill. Rick Alonzo moved to table the proposed compression brake ordinance. Mike Klaus seconded the motion. The motion passed, all in favor. Rick Alonzo read the proposed compression brake ordinance at the public's request.

Ruth Sutton said Tom Oxford spoke of a city that had a sign and she thinks this should be investigated. Delton Amoth, Tim Fulton, Eric Olson, and Dave Gray left the meeting.

Rick Alonzo moved to authorize the Mayor to sign the Farmers Market contract for 2013. Connie Wells seconded the motion. The motion passed – Mike Klaus "yes", Rick Alonzo "yes", Tom Mayo "yes", Connie Wells "yes".

The group discussed the proposed purchase of ABB reclosers. David Sims said this would take the last two old hydraulic reclosers out of service and standardize them with what we currently have. David explained what a recloser does. He said when the lights blink and then comes back on this is the recloser working. They blink three times and then go off if there is a problem. Connie Wells moved to purchase the two ABB reclosers as recommended. Tom Mayo seconded the motion and it passed – Rick Alonzo “yes”, Mike Klaus “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mike Klaus spoke of the billing policy changes and said these are clean up issues and not changing the utility rates but there is a change to the rate codes. Clerk Kris Larson explained that the rate code changes are to simplify the codes we currently use. Connie Wells moved to approve the billing policy changes as presented. Rick Alonzo seconded the motion. The motion passed – Mike Klaus “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Independent contractor agreements were reviewed. Rick Alonzo moved to authorize the Mayor to sign the independent contractor agreements for APEX Construction Services, LLC; Dennis Fitch Construction; KG&T Septic Service; Mastre Backhoe Service; Mike Kelly Excavating; and Wink, Inc. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The inundation study was discussed. FERC requires the inundation study be done in case there is a failure of the Moyie Dam. Tom Mayo moved to authorize the Mayor to sign the contract with Tetra Tech for the inundation study. Rick Alonzo seconded the motion. The motion passed – Mike Klaus “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to approve the appointment of David Sims to the Urban Renewal Agency Board. Rick Alonzo seconded the motion. The motion passed – Mike Klaus “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

There being no further business, the meeting adjourned at 8:06 p.m.

Michael B. Klaus, Council President

Attest:

Kris Larson, City Clerk