

Mayor David Anderson called the regularly scheduled meeting of March 2, 2010 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Chris Clark, Council Members Mike Klaus, Connie Wells, and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, Assistant City Administrator David Sims, Police Chief Rick Alonzo, Fire Chief Pat Warkentin, Water/Sewer Superintendent Jim Fritzsche, Attorney Tim Wilson, Street Department Supervisor John Youngwirth, and Economic Development Coordinator Mike Sloan. Also present was Marcia Cossette.

Marcia Cossette said she will bring a proposal for the Farmers Market at the next meeting.

Connie Wells moved to add an agenda item to review a letter to the US Army Corps of Engineers regarding flood walls and levee maintenance. Tom Mayo seconded the motion. The motion passed all in favor.

Police Chief Rick Alonzo said there have been five DUIs, six driving without privileges, one invalid license, four warrant arrests, one resist and obstructing an officer, two aggravated batteries, one reportable accident, one emergency mental detention, burglary at General Feed and Grain that was solved, one theft, one domestic dispute, one nuisance property complaint, and one suicide.

Pat Warkentin gave the fire report. He said the run volume may be up about 30 percent if the calls stay consistent with what they have been in the past two months.

Stephen said he contacted Bonner County to see if they would take our garbage and asked how much they would charge. Stephen said the newspaper has offered to publish a local government column and it would be good for the county and city to keep the citizens informed. He met with the Farmers Market and it was a healthy meeting and he passed on the fact that the city wants them to grow. Kudos to the street department for remodeling the council room and kitchen and to Steve Neumeyer for electrical work. Waterline phase 2A is out for bid. It is for the Chippewa area, Eaton area, and Alderson Lane. He said there are add alternates because the estimate for the price of phase 2A is coming in higher than we expected. Stephen said Ralph is considering opening the golf course soon.

Chris Clark moved to add item number four, NWPPA Engineering and Operations Conference and Tradeshow in Tacoma, to new business. Tom Mayo seconded the motion and it passed.

Connie Wells moved to approve the consent agenda. Chris Clark seconded the motion. The motion passed all in favor. The consent agenda contained the following: roll call; approval of bills and payroll; approval for Marlin Olsen and Gary Falcon to attend North Idaho Fire Chief's Academy in Coeur d'Alene on April 17-18, 2010.

Stephen has spoken to the county regarding a flyer to be sent in our utility bills. David Sims said Safeway is considering allowing recycle bins at their grocery store site. Connie asked for

clarification of Stephen's letter to Bonner County regarding the garbage being hauled to Colburn. Stephen explained that this may alleviate some of the tonnage problem that the county is concerned about. Stephen estimates that it will cost about \$100 per ton to haul to Colburn. David Sims said the county could then decide how much garbage they want hauled out each week. Chris Clark inquired about yard waste. David said we need to educate the public. Chris asked if there would be the possibility of the public signing up for curbside recycling and paying for this service as opposed to it being mandatory for all residents. Tom said it would be an added cost to Frederickson's so it would probably depend on volume. David said he would also like to see this and he had asked Ron about it but it is difficult to determine the cost without knowing how many would participate.

Mike Klaus moved to declare the 1959 LaFrance fire engine surplus property. Chris Clark seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to award the surplus real property bids to Robert Hanover and Paul Rawlings. Chris Clark seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mike Sloan spoke to council regarding the Idaho Community Review Program. Kamiah and St. Maries have participated in this program and have been satisfied with the results. Mike said this would be a continuation of the Hudson Study. He said there are three categories we would choose that would direct the focus of the review team. The cost would be in-kind of about \$2,500 to include food and transportation. The County would like to see infrastructure and economic development and possibly education. Mike said there is money in his marketing budget of \$800 that he would be happy to put toward the program. Mike has spoken with Loraine Roach about the Hudson Study as she worked on it and she is one of the people that may be doing the review. Mike thinks he can work on the food issue and we can also find a van for transportation. The review team usually spends two to three days in a community. The deadline for submission of the application is March 16, 2010 or an alternate date of April.28, 2010. Connie would like to go with infrastructure and economic development. Tom said we cannot go wrong with education either. Chris asked about cost. Mike thinks it will be substantially less than \$2,500. The group discussed costs and the Hudson Study. Mike Klaus said it looks like the Idaho Community Review is linked to the Department of Commerce and asked if there may be the advantage of having this done to garner more grant funding. Mike Klaus moved to have Mike Sloan fill out the application and move forward with infrastructure, local economic development, and arts, historic, and recreation resources. Chris Clark seconded the motion. The motion passed, all in favor.

Chris Clark moved to authorize the Mayor to sign the LHTAC grant pay request and approve the payment to Welch Comer for \$6,051.17 for the Alderson Lane overlay project. Connie Wells

seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Chris Clark moved to authorize the Mayor to sign the Idaho Department of Commerce grant pay request and approve payment to Welch Comer for \$6,800.00 for the Alderson Lane project. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Tom Mayo moved to appoint John Langs to traffic safety committee with a term expiring December 31, 2010 and reappoint Don Lindsay and Mike Woodward to the traffic safety committee with terms expiring December 31, 2011. Connie Wells seconded the motion. The motion passed, all in favor.

David spoke to council regarding the source water protection plan. This has come to light with the interest in the hunting and fishing in the Myrtle Creek Preserve area. DEQ and Idaho Rural Water Association will help us write the plan free of charge. The city would need to appoint local people to be on a committee to work on the plan. Then DEQ would work with the committee to write the document. Since the watershed is under Forest Service control the Forest Service will need to be involved. He suggested having KVRI be involved as well as other committee members. If we ever want to get funding from USDA we must have the source water protection plan in place. He said DEQ also bases funding on whether or not we have a source water protection plan. David would like to go with DEQ on the planning.

David Sims gave a power point presentation on the sewer lagoons and how we ended up last year and what the plans are for next year. The city lagoons are the simplest and most cost effective method for treating wastewater. They are facultative ponds with anaerobic (without oxygen) layer at the bottom and aerobic (with oxygen) layer at the top of the pond. Pond one is mechanically aerated. Our national pollutant discharge elimination system permit (NPDES) expired in May, 2009 and we are currently operating under administrative extension because EPA is backlogged. The big unknown is what levels will be included in the next permit so this could have huge impact on our lagoon system. The permits are good for a five year period. The violation notice was received in September, 2006 for exceeding our discharge limits and a continuing noncompliance notice was received in May, 2009. The city used chlorine in 2009 to control the algae but this is very expensive. If we continue with the chlorination this year it will cost about \$50,000. The city is looking at different algaecide called sodium carbonate peroxyhydrate. Biological oxygen demand (BOD) is going down. The chlorination is helping a lot. Dredging was done in August, 2008 and that helped quite a bit. We are planning to dredge again this year and continue to use chlorine to kill the algae. The grant we have applied for will help us increase aeration. The sewer master plan can be accomplished with a DEQ grant and there is funding available but there is a match. There is also USDA funding available but the expectation of USDA is a monthly sewer rate of about \$40-\$45. The filter method is very expensive and would cost \$400,000 to \$600,000 and if we had to go to a mechanical plant it

would cost millions of dollars. Mike Klaus said the city does not have options because we do not have the permit limits yet. David fears we are reaching capacity at the lagoons and we may need modifications such as larger ponds to meet growth and the permit requirements. The planning grant is important to know the road map of what we need in the future. Connie asked about the sewer studies that we have. Stephen said the last sewer study was paid for by the Kootenai Tribe and it was for development but the permit requirements were different at that time. Mike said EPA holds many unknowns. Stephen said EPA will issue a compliance schedule if we have new compliance limits. David said EPA looks at noncompliance differently. Mike said EPA could come in any time and fine the city. He said the city needs to be working on compliance and do a sewer study to help pay for what needs to be done. David said we are fortunate that the Kootenai River is nutrient deficient.

Mike Klaus spoke regarding annexation. He said we serve a good portion of people south of the city limits but they are not city residents. Mike said there is quite a lot of cost and effort to go into annexing properties. He thinks it would pay to move forward with annexation and it is a worthwhile effort. Connie agreed and thinks people who are served water and sewer should be included in the city limits. Chris Clark would like to see numbers to see if it would benefit the pain. Tom asked about the levy limits. Stephen said it would nearly increase taxes 50 percent. John Youngwirth said as a property owner, he was previously against it and now he would be in favor of it. David said the paradise Valley Fire levy limit is about 35 percent of the city's levy limit. Stephen said annexation requires fortitude on the Council's part especially. Many of the people outside the city limits are receiving city services. He suggested not taking on such a large portion of the area this time if we approach it. Mike said if we go to LaBrosse Hill Road area it would be about 100 residences. Stephen said a lot of the city services are regulated by ordinances and we cannot enforce city ordinances outside the city limits. He said another plus to annexation is that those people would fall under the city's subdivision ordinance and the county does not have such regulations. We would also possibly see new construction. Mike Sloan said there is no regulation for building in the county so there are homes built substandard. David said two years ago Jerry Mason gave a presentation about annexation and said it is best to do it in smaller steps. Mike Klaus said due diligence is needed to get annexation done. David said annexation is a tough process so support is needed up front. Tim Wilson said the city does not have authority to lien outside the city limits for utility collections. He also said if we serve outside the city limits we can require agreement to annexation from the property owners in order to have our services. Tim said there have been changes in the annexation law in the past two years. We will want to discuss categories and the area to be annexed. Annexation legislation is being reviewed at the Legislature according to Mike Klaus.

Mayor Anderson asked to move the fire station tour to the first meeting in April since two council members will be out of town on the 16th of March.

Stephen said there is a standard for maintenance of vegetation on the levees. There is a change being proposed dictating that any changes to the maintenance of the levees must be signed off by

an engineer, variances are location specific and not on a district level, and applications for variances be processed at the national level rather than at a district level. The Seattle District would like to retain control rather than having the maintenance of the vegetation on the levees at a national level. We have a PL8499 agreement with the Corps and under this agreement we maintain the levees to a certain standard and they will come in if and help us if we have a flood problem. The PL8499 is a variance and this would go away if the change takes place. The Kootenai Tribe has interest in this change as they have projects coming forth. Mike Klaus moved to authorize the Mayor to sign the letter to the Corps of Engineers urging them to support keeping variances at the district level. Connie Wells seconded the motion. The motion passed, all in favor.

Chris Clark asked about the Engineering and Operations (E&O) Conference request. Stephen said the E&O Conference is the trade show for electric utilities in the northwest. He said the conference provides good classes, new equipment and tools for the industry, and a venue to meet your peers and is the best conference for the electric utility. Tom Mayo said \$3,000 looks like quite a bit of money. Mayor Anderson said the costs of this are related to the area that the conference is being held. He also said when Mr. Sims was hired there was a commitment to get him up to speed with the electric utility as soon as we could. Chris Clark moved to send Dan Rice and Dave Sims to the NWPPA E&O Conference. Tom Mayo seconded the motion. The motion passed, all in favor.

At 8:41 p.m. Connie Wells moved to go into executive session per Idaho Code 67-2345 (1) f. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”. The executive session ended at 9:08 p.m. No action was taken.

There being no further business the meeting adjourned at 9:08 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk