

Mayor David Anderson called the regularly scheduled council meeting of May 17, 2011 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 Dave Sims, Water/Sewer Department Supervisor Jim Fritzsche, Water Plant Foreman Doug Ladely, Police Chief Rick Alonzo, Economic Development Coordinator Mike Sloan, Attorney Tim Wilson, and Fire Chief Pat Warkentin. Also present were Necia Maiani from Welch Comer, Marcia Cossette, Ken Yount, Carolyn Testa, Brandon Glaza, Rob Tompkins, Lisa Carle, Tim Dougherty, Roger Fraser, Collett Allen, Dave Gray, and Tony Villelli.

Ken Yount spoke to council regarding food vendors during the Rod Benders Car Show. He said this is the tenth year and the Car Club supports non-profit organizations as well as downtown businesses. He said he is not passionate either way about the food vendors but the Car Club is orderly about where they have vendors located during the car show. Mayor Anderson said he has spoken to the Car Club but has not spoken to the vendor interested in setting up a booth. Ken said the Car Club will honor whatever the city wishes. Ken said there is a cruise on Friday evening before the car show.

Roger Fraser addressed council. He said he was granted a special use permit by Planning and Zoning and is requesting the sign size be changed from 2x3 feet to 20"x48" and be double sided. Mike Klaus said if the sign size or location changes that he may have to address the situation again.

Necia Maiani gave a presentation on the water fund. The master plan for the water system was completed in 2004 and now it is time to amend the water master plan. She listed out the deficiencies that were corrected between 2004 and 2010. We have completed about \$4.2 million in improvements and there is approximately \$390,000 in grant funding remaining. The growth rate for the last six years was .6 percent and the projections in the original master plan were 1.5 to three percent. The fire suppression storage requirement is 120,000 gallons or 1000 gallons per minute for two hours for all tanks except the Hoover tank and 360,000 gallons or 3000 gallons per minute for two hours for the Hoover tank. The treatment plant has the capacity to supply current and projected 20 year maximum day demand based on 1.5 percent growth rate. If there was a three percent growth rate we would have a deficiency of 113 gallons per minute on the 20 year projection. If Myrtle Creek should fail the system has capacity to supply the maximum day demand if we use the Kootenai River intake. She said there is a problem when using the Kootenai River intake because we use this line for wasting water that does not meet DEQ standards and if the Kootenai River source does not meet the DEQ standards, we have limited storage space for this. If we have 1.5 percent or 3 percent growth rate and Myrtle Creek failed, we would have a deficiency.

There are new IDAPA rules and definitions that have been modified since 2004 and DEQ has modified their interpretation for storage. Nesting is no longer allowed for standby and fire

suppression. Based on the new rules and definitions, portions of the system have insufficient storage if we were to see 1.5 to three percent growth. This includes the South Hill storage tank and Hoover storage tank but this can be solved with operational adjustments according to Necia. The northside storage facilities have the capacity for 250,000 gallons on the northside and only an estimated 98,000 gallons is available for fire suppression or standby storage.

The steel tank needs a new roof structure and the northside tank is currently beyond its expected life and a new roof will likely be required in the next six years.

The distribution steel main water lines installed in the 1960's have less than ten years of expected life remaining. There are an estimated 10,000 linear feet of less than four inch diameter mains system wide and 99,000 linear feet of steel lines system wide. The booster capacity has insufficient capacity for maximum daily demand, largest pump down, currently of 18 gallons per minute on the south hill but downtown does not have a current deficiency. Necia gave pros and cons for treatment expansion, adding groundwater source, and interties. A treatment plant expansion would cost approximately \$1 million and does not provide a backup source. The cost of adding a groundwater source is unknown but Necia estimated it to be about \$600,000. There is a potential for connecting or an intertie with Three Mile Water and this would provide an emergency backup source for the northside. Chris Clark asked about well water treatment. Stephen said we would have to add chlorine.

High priorities are the Deep Creek water main replacement and smaller diameter/steel main replacement, Necia estimates a program replacing 500 to 2,000 feet per year. Tom Mayo asked if the line size would need to be upgraded. Necia and Stephen said we may need to upsize some of the lines. Long range plans would be the Eaton transmission extension through downtown and a river bore. Critical needs are Deep Creek line replacement \$170,000; steel tank roof repair \$85,000, and test well exploration \$45,000. The steel tank roof could be paid out of reserve funds and the other needs could be paid by USDA grant funds. The Deep Creek line replacement is approximately 200 feet and is expensive because there is a river bore involved. The time line for spending the USDA funding of approximately \$390,000 is June, 2012. Stephen said when the city bonded for the water improvements in 2005 we knew there were more deficiencies than what we could afford in rates.

Rick Alonzo gave the police report. There have been three agency assists, one civil protection order violation, two DUIs, one minor in possession of alcohol, one minor in possession of tobacco, one drunk in public, one gas theft, three insurance violations, one domestic dispute, one trespass, an open door at Bonners Ferry High School, an attempted burglary, a battery charge, two warrant arrests, one possession of paraphernalia, two child custody disputes, and one driving without privileges. The funds have been raised from private donations to purchase the Crown Victoria from Idaho State patrol. Tom Mayo inquired about the police not attending the bike run at the hospital. Rick said he forgot about it.

Fire Chief Pat Warkentin said there was a brush fire on the east side of town that was out of control. There were weapons of mass destruction and hazmat training for radioactivity exposure that lasted two days. The fire department responded to a vehicle accident out near the golf course with eight firemen and it took two hours to extricate the individual from the car.

Stephen Boorman said the windstorm caused a power outage due to a tree falling and breaking the transmission line. There were six electrical crewmen that worked all night to repair the broken line up Katka. The drift at Moyie is getting bad and the debris is being cleared. The city may have to contract with someone to help with the debris. The inflows to Libby dam are exceeding the outflows from the dam. There will be problems if the outflows need to come down at the same time the rivers over flow. David Sims said there is about 600 feet of dike that needs repair and the Corps of Engineers are aware. Stephen said there was a tort claim filed by a city customer on Crow Street and the city is working on this to determine the problem.

Mike Sloan said 360 has put a point of presence in Sandpoint for the fiber optic project. He said a provider should be chosen by the end of the month. There will be a presentation at the BEDC meeting on the State intermodal transportation system. This will help for transporting people from Bonners Ferry to Sandpoint.

Mike Klaus said the urban renewal plan and map went out on Friday to the entities. Now is the comment period for the urban renewal plan and the hearing will be June 14, 2011. He thanked Stephen and David for their help on the plan.

Connie Wells moved to add the following late agenda items: 1) consider the revised settlement agreement for the residential exchange program; 2) permission to continue dredging at the lagoons. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mike Klaus moved to approve the consent agenda. Chris Clark seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”. The consent agenda contained the following: roll call; approval of accounts payable and payroll; and approval for Dan Rice to attend Wood Pole Structure Design Class in Nashville, Tennessee from September 20-22, 2011.

Connie Wells moved to approve the special event permit for the Mountain Springs Church free family concert. Tom Mayo seconded the motion. The motion passed, all in favor.

Mayor Anderson excused himself from the meeting for the discussion of the contract with Panhandle Area Council (PAC) for the urban renewal agency plan development services and consulting. The developers have agreed to pay the \$10,000 cost of the services. Tom Mayo moved to authorize execution of the PAC contract. Connie Wells seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

David Sims said there was a contractor, LSB Consulting, who inspected the steel water tank. The tank was purchased used in the 1950's and it was sandblasted and coated in the 1960's. After the tank inspection, it was determined that the tank is worth repairing. We are requesting permission to go out for quotes for repair of the existing structure and to coat the parts of the tank needing this during the repair. Mike Klaus said the critical feature of this repair is the steel coating and testing of this aspect of the repair. David said the roof structure was never coated but he is more concerned about the tank walls where the clips for the rafters will be. Stephen said a budget number for purchase of a tank is about \$1 per gallon. David wants to look at repairing the current tank. He said the tank will have a limited life even though we repair the roof, maybe 20 years. Connie Wells asked about using grant funding to replace the steel tank. Stephen said if we were to replace the steel tank we may not keep it in the current location. Connie Wells moved to go out for quotes for steel water tank roof repair. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Stephen said under a special use permit, special permission is granted for a business to operate in an area not zoned for that use. Mayor Anderson said a zone on Main Street is in the flow of things when in reality it clashes with residential zoning. Connie Wells said Planning and Zoning granted a special use permit with the specifications noted and she thinks Mr. Fraser should comply. Tom Mayo agreed. Chris Clark asked if a change is made to the special use permit if another hearing is needed. Attorney Wilson said council would want to have planning and zoning consideration if there is a material change. Mike Klaus said the sign should fit the original intent or the process should begin again. Connie Wells moved that the sign should stay in the 2x3 feet square footage limit and it needs to be attached flat against the building. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson told Necia that council likes the way she has proposed the amendments.

Rob Tompkins from the Parks and Rec Board spoke to council regarding the electric service being requested at the fairgrounds. It would take the load of the pavilion, bathrooms, and concession stand load from the fairgrounds current overloaded power source. The estimate of the cost is \$5,300 by the city and there is an additional \$3,400 for an electrician to do the work for Parks and Rec. Connie Wells said there are many that come to the city for assistance and we cannot do it for free for all of them so how do we pick and choose. Tim Dougherty asked for any assistance the city could grant and said this project is benefiting many people. Tom asked for a breakdown of the costs. He explained that the city is limited even though there are many very good groups that come before council. Stephen said the electric capacity charge is \$500, pole riser and primary conductor, fusing, and then there is cost for secondary wire going into the meter base. He said this is an estimate of costs and then the job is done and billed at actual costs. Chris Clark said the more money spent on the kids for the kids programs the better. He said the city kids spend a lot of time in the county parks and rec programs. Mike feels the same way as

Chris but he understands the point made by Tom and Connie regarding non-profits. Mayor Anderson would like for council to look at the cost estimate, talk to administration, and think about possible ways to reduce the costs. Connie asked if the county could help out. Tim Dougherty said the funding is coming out of the county parks budget. He said they will also be speaking to the fairboard since the improvements will benefit them. Connie Wells moved to table the motion until the next meeting. Tom Mayo seconded the motion. The motion passed, all in favor.

Rick Alonzo previously got permission to hire a full time and a part time officer. He said there was a vacancy in the department and the police department is down two positions due to injury. Currently, Dave Kramer and Foster Mayo have been filling in. He said the budget has the room to hire the part time person as a full time person. Mayor Anderson said he would like to see the police department go through the process to hire. Rick said he is only asking for both the officers to be full time employees and he does not care to look further. One of the officers has commuted every day since January and worked for free. Rick does not have six or eight weeks to go through the official process since there are only three people available on the department. Chris Clark clarified that when Don Moore leaves, there will not be a request to fill another position. Rick agreed that the net effect would be zero. Mike Klaus said he thought the Mayor should make this decision since the Mayor oversees Rick Alonzo, Pat Warkentin, Stephen Boorman, and Kris Larson. Tim Wilson said this decision is in the purview of the council. Tom Mayo moved to allow the police chief to hire a full time employee. Chris Clark seconded the motion. Mayor Anderson said in June he would like to go over the 24/7 police schedule and get a better grasp. The motion passed – Connie Wells “yes”, Chris Clark “yes”, Tom Mayo “yes”, Mike Klaus “abstained”.

Mayor Anderson asked Tim Wilson’s opinion on what the city can do to remedy the situation near Cedar Street. Tim said we have a nuisance ordinance that dictates. The process starts with a city official approaching the violators and there are misdemeanor fines in the amount of \$300. The violators can be cited every five days if they do not comply. A warning letter should be issued that says they have five or ten days to comply. The city needs to evaluate each place. Rick Alonzo said if there is a vehicle that is complete but not licensed that is okay, if the vehicle is torn apart then that is different if it is on their property, or if the vehicles are in the city right of way then that is another set of rules. Stephen said historically Dave Kramer spent time each spring looking at the nuisance properties and this kept the problems down. Rick said this has been looked at in the past and letters were sent out allowing 72 hours to comply. Rick will go down and take pictures and get with the attorney to see if the ordinance applies.

The School District has requested to waive the fees for a sewer connection near the high school between the football field and the baseball field. The usage would only be seasonal for this service. Jim Fritzsche asked if they considered a pump station. Stephen said they did not want the maintenance. Currently, the sewer at the concession stands goes into underground tanks and is pumped out. Mike Klaus said he estimates the usage for this service to be more than what a

residence would be over a year's time. David commented that essentially the city taxpayers or rate payers are being taxed higher than the county residents for these services. The group briefly discussed the capitalization fee. Mike Klaus moved to table the issue. Chris Clark seconded the motion. The motion passed, all in favor.

Connie Wells moved to set the hearing date for the Arapaho Alley prescriptive rights issue on June 21, 2011. Tom Mayo seconded the motion. The motion passed, all in favor.

Stephen spoke regarding the residential exchange program. Connie Wells moved to authorize the Mayor to sign the residential exchange settlement agreement. Chris Clark seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

David Sims said as long as the sewer effluent is good we should keep dredging the lagoons. He said we will be mindful of Tom Bennett's retirement restrictions. Mike Klaus moved to allow staff to continue with the dredging operation. Tom Mayo seconded the motion. The motion passed – Mike Klaus “yes”, Chris Clark “yes”, Connie Wells “yes”, Tom Mayo “yes”.

The meeting adjourned at 9:16 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk