

Mayor David Anderson called the regularly scheduled council meeting of December 3, 2013 to order at 7:00 p.m. Present for the meeting were Mayor Anderson, Council President Connie Wells, Council Members Bob Blanford, Rick Alonzo, and Tom Mayo, Clerk Kris Larson, City Administrator Stephen Boorman, City Attorney Andrakay Pluid, Police Chief Steve Benkula, Fire Chief Pat Warkentin. Also present were Dave Kramer, Bob Graham, Ken Baker, Ruth Sutton, Dale Simpson, Jessica Tingley, Adam Arthur, Jerry Higgs, Doug Ladely, Sr., and Ron Smith.

Jerry Higgs said a few months ago he made a report to the police and an attorney general's investigation was done. He said as of this week there is another investigation being launched by another State agency into other allegations involving serious willful and negligent conduct by members of city staff that have criminal implications. Jerry said he is not at liberty to disclose what it is but this agency is aware of the investigation by the Attorney General's Office. He said if anyone tries to cover their tracks the area is under 24 hour surveillance and he does not think they should want to add tampering with evidence to the charges. He said he does not bring this forward with pride. He thinks mismanagement has become so severe that the Board is blinded by these events and the individuals involved in these events should be asked to resign or be put on administrative leave pending the outcome of the formal investigation. Jerry said the City of Bonners Ferry exists for the citizens. He said within a week the city will hear from an agency.

Police Chief Steve Benkula said he will interview for the police secretary position and there are 12 applicants. The police vehicle has been shipped and should be here the week before Christmas. It will be ready for duty after the radio is installed.

Fire Chief Pat Warkentin gave a history of the fire calls for the past few years. He estimates 80 calls this year. There were two car crashes the day before Thanksgiving that the fire department responded to. One accident was on the Paradise Valley Hill and the other was on Highway 95 and Main Street.

Stephen Boorman said for years the city has obtained sand from Boundary County Landfill but that source is going away so we need to find a new source. The Christmas decorations are up and Dirks Tree Service trimmed the downtown trees and put the lights up while they were there. He thanked them for their efforts and said Lisa Dirks was helpful with making the lights look good. We received a letter from the Elevator Company with a price of \$4,000 to replace some fittings that are leaking on the elevator at the Visitor Center. He thinks this price is quite high. Stephen asked the council to look at the tree grates as the trees are getting quite large. The grates are made to cut out sections to accommodate for growth but he would like input from council. He said there is property for sale above the Cow Creek Road as we have been looking at ways to straighten out the corner on that road. Rick asked the price of the property. Stephen said it is just over \$100,000 and a house is included. Emergency action plan training at the hydro will be on December 20 at 8:30 a.m. The contractors for unit 3 rebuild were at the power plant today and Stephen feels comfortable after talking to them. Tom asked about the elevator leak. Stephen said it is not something that has to be done immediately but it will need to be fixed over time. He said the maintenance agreement for the elevator covers inspections and paperwork.

Connie Wells moved to add two late agenda items: 1) approve the appointment of interim deputy police chief; 2) approve a catering permit for the Kootenai River Inn for the Festival of Trees banquet at the fairgrounds on December 14, 2013. Tom Mayo seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to approve the consent agenda. Bob Blanford seconded the motion. The motion passed - Bob Blanford “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 November 19, 2013 council meeting minutes.

Rick Alonzo moved to have the third reading by title only of the ordinance amending Title 10, Chapters 1, 2, and 3. Connie Wells seconded the motion. The motion passed - Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Andrakay read the title of the ordinance amending Title 10, Chapters 1, 2, and 3.

Connie Wells moved to adopt the ordinance amending Title 10, Chapters 1, 2, and 3 (Clerk’s note: Ordinance #537). Rick Alonzo seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Ordinance 537 reads as follows:

ORDINANCE NO. 537

AN ORDINANCE OF THE CITY OF BONNERS FERRY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING VARIOUS SECTIONS WITHIN BONNERS FERRY CITY CODE TITLE TEN CONCERNING UTILITIES; AMENDING THE PROCEDURE FOR RETURN OF A UTILITY DEPOSIT AFTER TWELVE CONTINUOUS MONTHS OF NONDELINQUENT PAYMENT SET FORTH IN 10-1-3 OF BONNERS FERRY CITY CODE; REPLACING THE WORD “DEPOSIT” WITH “REFUND” IN 10-1-4 OF BONNERS FERRY CITY CODE; ADOPTING SECTION 10-1-7 PROVIDING FOR THE COMBINATION OF IN-ACTIVE AND OVERDUE UTILITY ACCOUNTS; AMENDING 10-2-8 OF BONNERS FERRY CITY CODE CONCERNING THE USE OF WATER METERS TO DETERMINE WATER RATES FOR ALL CUSTOMERS AND TO ESTABLISH A FOURTEEN DAY DUE DATE FOR WATER CHARGES FOLLOWING THE CUSTOMER’S BILLING DATE; AMENDING SECTION 10-3-10 OF BONNERS FERRY CITY CODE, SUBSECTION D, CONCERNING PAYMENT DUE DATES; PROVIDING SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and City Council have deemed it in the public interest to amend the ordinance pertaining to the procedure for return of a utility deposit within Bonners Ferry City Code Title Ten Chapter One, to replace the word “deposit” with “refund” in order to clarify section Four of Bonners Ferry City Code Title Ten, Chapter One, to amend subsection C of Bonners Ferry City Code Title Ten Chapter Two Section Eight to reflect the use of water meters to measure water use for all water customers of the City of Bonners Ferry, to amend subsection D of Bonners Ferry City Code Title Ten Chapter Two Section Eight to establish a fourteen day due date following the customer’s billing date, and to amend Subsection D of Bonners Ferry City Code Title Ten Chapter Three Section Ten to establish a fourteen day due date following the customer’s billing date for sewerage services.

NOW THEREFORE, Be it ordained by the Mayor and the Council of the City of Bonners Ferry, Idaho, as follows:

Section 1: That Bonners Ferry City Code Section 10-1-3 is hereby amended as follows:

RETURN OF DEPOSIT: After twelve (12) continuous months of nondelinquent payment of the monthly bill by the customer for the utility requiring the deposit, such deposit shall be ~~mailed to that customer at his last known address~~ applied to the customer’s account upon customer request. If customer closes an account, the deposit is applied at closing. Refunds are mailed to customer if the account balance results in a credit and there are no other active accounts of the customer.

Section 2: That Bonners Ferry City Code Section 10-1-4 is hereby amended as follows: FORFEITURE: In the event the mailed ~~deposit refund~~ is returned to the city due to lack of sufficient address, then the ~~deposit refund~~ will be deemed forfeited by the customer and placed in the city general fund.

Section 3: That a new section, 10-1-7, of Bonners Ferry City Code is hereby adopted and shall read as follows:10-1-7:

OVERDUE AND IN-ACTIVE ACCOUNT COMBINATION: In the event that a utilities customer is listed as the debtor on two or more accounts, if one such account is no longer active or in use but a balance is owed on such account, the City may transfer the balance of the in-active account to another active account of the same customer, the in-active account may be closed, and the balance shall be due in accordance with the terms of the active account.

Section 4: That Bonners Ferry City Code Section 10-2-8 is hereby amended as follows:

C. Water Meters: Water meters shall be used to determine water rates charges for ~~the following establishments: all water customers, unless technical circumstances prohibit. In this event a non-metered flat rate will be levied until such time as the technical issue can be resolved.~~

1. All business houses;
2. All industries; and
3. All locations outside the city limits.

D. Payment: Payment of water charges shall be due monthly, ~~on the tenth day of each month following that in which the service is rendered.~~ fourteen days after the customer's billing date.

Section 5: That Bonners Ferry City Code Section 10-3-10 is hereby amended as follows:

D. Due Date: All charges for sewerage service shall be due and payable at the office of the clerk on or before the ~~tenth~~ fourteenth day following the customer's billing date of each month, and shall become delinquent after the fifteenth day following the customer's billing date.

Section 6: PROVISIONS SEVERABLE: The provisions of this Ordinance are hereby declared to be severable and if any provision of this Ordinance or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

Section 7: EFFECTIVE DATE: This ordinance shall be effective upon its passage and publication in the manner provided by law.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this 3rd day of December, 2013.

CITY OF BONNERS FERRY, IDAHO

BY: /s/ David K. Anderson, Mayor

Attest: /s/ Kris Larson, Clerk, City of Bonners Ferry

The request by Boundary Volunteer Ambulance (BVA) to use the fire hall was discussed. Rick Alonzo said he does not see a problem with it as long as the fire chief agrees. Pat Warkentin said most fire and emergency service departments are generally one unit where they assist us and we assist them. He said the ambulance association is looking for a place to house some of the outlying EMTs to keep them more centrally located. Pat said there is a room at the west end of the fire hall for a sleeping area that we are currently using as a study room. There is a kitchen and bathrooms with a shower in the men's room. The fire hall is located close to the ambulance barn. Pat said it would be up to BVA to see how they will make this work. He does not have any opposition from the firemen. Mayor Anderson said we should pursue this or at least begin talking with BVA for possible lease space. Rick Alonzo moved to discuss the Boundary Volunteer Ambulance request to use the fire hall and direct staff to work on an agreement. Bob Blanford seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Tom Mayo moved to reluctantly accept the resignation of Police Chief Steve Benkula. Connie Wells seconded the motion. Mayor Anderson said we brought Steve to God's country and put him through hell for two years and he has done a fine job and the city has appreciated him. He said the Attorney General's Office is getting a good man and we will miss him. Steve said it has been a reluctant acceptance of the new job but his personal life has had some changes that makes him have to move south again. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Mayor Anderson said Dave Kramer has agreed to come in as interim police chief and help us out for up to four months. Mayor Anderson wants to appoint Dave Kramer and pay him \$24.89 per hour which is the rate being paid to Chief Benkula but there will be no employee benefits for him. Rick Alonzo moved to bring Dave Kramer back as interim police chief until we get a new one. Bob Blanford seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Connie Wells moved to accept the election results as certified by Boundary County – Tom Mayo received 141 votes, Matthew Solt received 109 votes, and Ron Smith received 161 votes. Rick Alonzo seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”. Mayor Anderson welcomed Ron Smith.

The group looked at the sewer system capital improvements as designated in the sewer master plan. Mayor Anderson suggested a 6:00 p.m. meeting in January to look over the master plan and set priorities. Stephen said there are two pieces that go together. One is to look at the projects we want to get done and this is how we want to fund them. Then we look at a rate structure that matches that. There is always give and take when looking at the rates. A rate expert will need to know where we intend to go and what we are looking at for rates. He said the items with the highest priority are to replace the pipe on the sewer bridge, build a headwork’s room to take out the big solids from the effluent before going into the ponds, and on the outfall to have a membrane treatment plant to help with the algae problem. Stephen said secondly the lift stations need upgraded and improved incrementally over time and the third priority is replacement of sections of sewer pipes that need to be replaced in our system. The group agreed to an early meeting in January for discussion of the sewer system.

Stephen said John Griffin has been working on the back flow and cross connection control flyer and has started with the commercial businesses first. Back flow and cross connection devices keep the customer’s contaminated water from back flowing into our water system. This is required by Department of Environmental Quality.

Mayor Anderson said with the current changes in our police department we have good officers but not much depth in administration. Foster Mayo has agreed to come on board as deputy police chief to work with interim Police Chief Dave Kramer under the same time constraints as Dave. Mayor Anderson proposed bringing Foster in as interim deputy police chief at \$21.89 per hour. Rick Alonzo moved to bring Foster Mayo in as deputy police chief at \$21.89 per hour on an interim basis. Tom Mayo seconded the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

Tom Mayo moved to approve the catering permit for the Kootenai River Inn for the Festival of Trees banquet on December 14, 2013 at the fairgrounds. Connie Wells second the motion. The motion passed – Bob Blanford “yes”, Rick Alonzo “yes”, Connie Wells “yes”, Tom Mayo “yes”.

There being no further business the meeting adjourned at 7:30 p.m.

David K. Anderson, Mayor

Attest:

Kris Larson, City Clerk