

Mayor Kerby called the regular Council Meeting of July 5, 2005 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Mick Mellett, Council Members Russ Docherty and Leslie Falcon, Clerk Kris Larson, City Administrator Stephen Boorman, Planning and Zoning Coordinator Gary Falcon, Fire Chief Larry Owsley, and City Attorney Tim Wilson. Also present were Quentin Harden, Dave Gray, Sue Esrey, and Lucy Dukes from the Bonners Ferry Herald.

Quentin Harden spoke to Council regarding the metering schedule for the water department. Mayor Kerby responded that the first phase paperwork has been completed with the Corps of Engineers and we will receive \$350,000 by September 30, 2005. The second phase will be received after October 1, 2005 and the issue is before Congress. Mayor Kerby said the construction would not begin until next year.

Quentin said there is a South Hill Water and Sewer customer who had a three year old delinquent bill for sewer with the District and the District is still paying the City \$4.57 per month. South Hill tried to collect the bill on the tax roll but the Commissioners granted the individual a hardship exemption so they could not collect the bill. Quentin said filing a lawsuit is not cost effective. He asked for suggestions from Council as to what to do or else requests the City to take the account back because the City will eventually get the account back with consolidation. Leslie Falcon said we will get the account back when we do but not until. The group continued to discuss the problem of nonpayment of sewer to the District. Quentin spoke about a joint enforcement agreement between the City and South Hill Water and Sewer District. Mayor Kerby said if there is a legal way to shut off the water that may be the answer. He told them to consult their attorney. Quentin said they do not have an attorney and don't want to spend the money to get one. He asked for suggestions and if Council comes up with any ideas to call him.

Quentin said the river is the most underutilized resource the community has and it is the best water skiing he has ever had with the exception of it being cold. He said an alternative to the pedestrian underpass tunnel would be to go under the bridge with a river walk. Mayor Kerby said there is a project envisioned from Katka to the Refuge for a river walk.

Quentin also commented on the taking of Bob Moir's property. He does not think it is the best use of taxpayer money because it will be real expensive after a jury gets hold of it and the parking lot is big now.

Quentin said he is hopeful that the City will be cautious with the spending of the water bond funding.

Sue Esrey spoke to Council regarding her and her neighbor's property on the northside and how they haul their garbage to the dump themselves because the Garbage Company does not want to come up their hill. She asked the City to waive the garbage fees since they are not using the service. Russ Docherty asked about the width of the driveway. Sue said it is about a car width and a half. Mayor Kerby inquired if there is another access to the properties behind the Esrey property. Russ asked who plows their snow.

Ms. Esrey said they do it themselves. Mick Mellett suggested reviewing the contract with the Garbage Company. Leslie asked why if a fire truck can get through on the road why the garbage truck cannot get through. Mick said it is not a public road, it is private. Ms. Esrey asked what it would take to make their driveway a public street. Stephen Boorman said there are state standards dictating the requirements for a public road. Leslie asked what the legality is of a City fire truck going on a private road. Mick said the fire truck can go anywhere in the City to fight fires. Leslie said if the fire truck can go on private property why the garbage truck cannot. Mick moved to table the issue until the contract with the Garbage Company can be researched. He commented that his recollection was that the charges are not waived for people choosing not to use the garbage service. Leslie Falcon seconded the motion. The motion passed, all in favor. Ms. Esrey left the meeting.

Larry Owsley gave the fire report. There were two fire calls at the Restorium but both were false alarms. The fireworks were good and the fire hose competition went great. Paradise Valley Fire Department won the trophy this year. He would like to see a hazmat trailer usage policy for the new hazmat trailer so other entities could use it for emergencies. He wants to make sure the outside use is paid for. Leslie inquired if all the fire engines are operational. Larry said they are. Leslie inquired about the fire truck grant. Larry said we are in the second round and there are six rounds so we should know something by September.

Mick Mellett moved to approve the consent agenda. Leslie Falcon seconded the motion and it passed, all in favor. The consent agenda contained the following: roll call; approval of July 5, 2005 accounts payable, approval of June 21, 2005 Council meeting minutes; approval of May 23, 2005 Special Council meeting minutes; approval for Stephen Boorman to attend the ICUA Meeting in Worley, Idaho on July 28-29, 2005.

The area of impact discussion was the next agenda item. Mayor Kerby met with the Commissioners today and they spoke to him about the area of impact discussion that was held in May. Russ Docherty moved to table the area of impact discussion until the next meeting. Mick Mellett seconded the motion. Leslie asked why we don't approve what was discussed at the May meeting. Council expressed concern about the actions that were taken at the May meeting. The motion passed, all in favor.

District 1 waterline discussion was deferred to executive session.

Leslie Falcon moved to approve the parade permit for the Fair and require they pay a cleanup deposit that is refundable if it is clean. Mick Mellett seconded the motion. The motion passed, all in favor.

Russ Docherty moved to appoint Stephen Boorman to the Public Power Council (PPC) Board as Representative. Mick Mellett seconded the motion for discussion. Mayor Kerby said the former representative resigned and recommended Stephen as his replacement. The meetings will be twice per month and they are at the City's cost

according to the Mayor. Stephen said he was honored to be recommended for the position. Mayor Kerby said he would recommend it. The motion passed, all in favor.

The North Ridge Estates Second Addition Subdivision was discussed. Mayor Kerby said this is in the area of impact of the City and the City was not notified of the hearings that took place and the County approved it before it even came to the City. Mayor Kerby said there is a sight distance problem with an area of the road. There was no controversy by the public. Mick Mellett said he does not like the fact that it is a private road and it has a culdesac at the end of it due to fire fighting problems.

Mayor Kerby said he spoke briefly to the Commissioners about the County, the City of Moyie, and the City of Bonners Ferry funding a professional planner to help guide us with planning expertise. Russ Docherty agrees that this needs to be done. Russ moved to approve the North Ridge Estates Addition and authorize the appropriate signatures for the City of Bonners Ferry. Mick Mellett seconded the motion for discussion. He said a letter needs to go back to the County to tell them of the proper procedures that should be followed. Mayor Kerby agreed and said it is a problem that puts the developer at risk by not following proper procedure. Stephen Boorman will write the letter. The motion passed – Mick Mellett “yes”, Russ Docherty “yes”, Leslie Falcon “yes”.

Lucy Dukes asked for clarification for the Planner. Mayor Kerby said if it was a joint venture between the local governments it may be feasible. The current budget does not allow for this at the City level.

Mick Mellett moved to go into executive session per Idaho Code 67-2345 to discuss legal issues and negotiations at 8:05 p.m. Russ Docherty seconded the motion. The motion passed - Russ Docherty “yes”, Mick Mellett “yes”, Leslie Falcon “no”. At 8:34 p.m. Russ Docherty moved to go out of executive session. Leslie Falcon seconded the motion. The motion passed, all in favor. No action was taken.

Russ Docherty moved to table the District 1 waterline discussion until the next meeting or a special council meeting if necessary. Leslie Falcon seconded the motion. The motion passed, all in favor.

The meeting adjourned at 8:35 p.m.

Darrell Kerby, Mayor

Attest:

Kris Larson, City Clerk