

Mayor Darrell Kerby called the regularly scheduled council meeting of July 18, 2006 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, Council Members John Langs, Leslie Falcon, and Dave Gray, City Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, Fire Chief Larry Owsley, and Attorney Tim Wilson. Also present was Robert T. Parker, Jr.

Robert Parker, Jr. spoke to council regarding the street abandonment request for Pine Street. The property he owns is at 6814 Pine Street. He said his letter to Council lists out six or seven reasons for wanting the street abandoned. He said the street has not been maintained for years and it dead ends at the end of the property. Currently the house porch is five feet from the 25-foot right of way so it does not meet the set back requirements and the garage is ten feet from the 25-foot right of way so neither meet the set back requirements. He said traffic comes down there and there is no turn around for them so they turn around on the grass. The house has been there since the 1920's or 1930's and the right of way has changed so there is water runoff causing the sill plate to deteriorate. He said the piece was split and the purchase/sale took place in November from the Fodge's. The farmhouse is on tract 3 and 12.7 feet was taken from tract 4 to widen Comanche Court. There are two lots to the west that should use Comanche Court for access. He said the intersection from Pine Street to Comanche is very steep and doubts that it would meet current standards. Robert said his neighbors do not object to the abandonment. Mayor Kerby recommended to Council to refer the request to staff for review on behalf of the City for comments to be considered at the next council meeting. Mr. Parker said a utility easement would be needed if the street were abandoned. He asked for clarification of the process should council choose to abandon the road. The ordinance process was explained to him.

Mr. Parker left the meeting at 7:13 p.m.

Dave Kramer said three juveniles have been identified for the graffiti problem around town. They will appear before the county prosecutor. The city is working with the Kootenai Tribe to get more camera coverage on the town side of the tunnel according to Dave.

Tim Wilson gave an update on the manure truck problem. Surveillance equipment may be donated to the city to keep better track on the truck drivers committing the crime. Tim said the Judge is an avid motorcycle rider and feels there is a health risk associated. The Judge passed the word that anyone charged with animal feces or urine on the highway will not be bonded out of jail and they will be facing at least 30 days in jail without work release. The work order costs need to have the officer's time and prosecutor's time added for reimbursement from the trucking company. Dave said that the State Patrol is also citing the truck drivers for over length on trucks coming from Eastport.

Larry Owsley said there were three fire calls on the 4<sup>th</sup> of July. There was also a fire call at the extension office with high carbon monoxide reading. The new fire truck should be in Bonners Ferry on Thursday. The tender truck will be here on Thursday from Department of Labor. The 1994 Ford from Department of Lands will make a very good

brush truck for the City and the existing brush truck will be surplus. The Kootenai River Inn has donated 90 chairs to the City and they are being stored at the fire hall. Larry spoke to Tom Turpin today and the tribe wants to have a photo op where the Tribe will make donations to the fire associations that helped protect the Inn during the flood event. The Busy Beavers 4-H group has donated smoke alarms and carbon monoxide detectors to the fire department to distribute to those in need. Larry asked for Stephen and Mike Klaus to meet at the station to view the roof and make a plan to work on repairs. The fire hydrant at the LDS Church is unusable and must be replaced. Stan Mastre from South Hill Water is working on the issue with his board. Larry said it is a highly used hydrant for that area and he will keep on top of it. Larry submitted a proposal from Fleet Graphics for the logo "Idaho's Friendliest City" for city vehicles. The decals are about \$6.00 each and the magnetic signs are about \$12.00 each.

Dave Gray moved to approve the consent agenda with the exception of item #5, which was moved to new business. Leslie Falcon seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval of July 18, 2006 accounts payable; approval for Dean Satchwell to attend the Law Enforcement Records Management Conference in Pocatello, Idaho from September 12-13, 2006.

Leslie Falcon moved to have third reading, in full, of Ordinance 486A Amending Building Code, Inspection for Snow Loads. John Langs seconded the motion. The motion passed, all in favor. Clerk Larson read the ordinance in its entirety.

John Langs moved to adopt Ordinance 486A. Leslie Falcon seconded the motion. The motion passed – John Langs "yes", Russ Docherty "yes", Leslie Falcon "yes", Dave Gray "yes". Ordinance 486A reads as follows:

**ORDINANCE NO. 486A  
AMENDMENT TO BUILDING CODE  
ORDINANCE NO. 486, SECTION 5A  
CONCERNING SNOWLOADS**

AN ORDINANCE AMENDING ORDINANCE NO. 486, SECTION 5A REGARDING SNOWLOADS:  
NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Bonners Ferry, Idaho as follows:  
Section 5.00: LOCAL MODIFICATIONS OF THE SELECTED BUILDING CODES; adding subsection A-4 as pertaining to snowloads is AMENDED as follows:

4. Table R301.2(1), footnotes: Insert "J. Manufactured housing shall be constructed for a minimum roof live load (snow loads) of thirty (30) pounds per square foot subject to the following:
  - a. Manufactured homes with a snow load rating of fifty (50) pounds per square foot shall not be required to have additional protective covering; or
  - b. Trailer Courts Snow Removal Program: Trailer Courts with trailers rating between thirty (30) pounds per square foot, but less than fifty (50) pounds per square foot, may have a snow removal program in lieu of Section (3) above if said program falls within the guidelines of the city and is approved by the city planning and zoning.

APPROVED by the Mayor and City Council of the City of Bonners Ferry this 18th day of July, 2006.  
CITY OF BONNERS FERRY, IDAHO  
By: /s/ Darrell Kerby, Mayor

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

Mayor Kerby spoke to Council regarding the new area of impact zoning recommendation from the City made to Boundary County. He said the Commissioners thought the new areas would be either zoned residential or industrial. Mayor Kerby said the zoning recommendation from Planning and Zoning passed through the City Council recommended zoning and density. Commissioners were confused by the

recommendation sent to them. Mayor Kerby said if it was the intent to only recommend the zoning required then we need to clarify the wishes to the Commissioners. Dave Gray moved to clarify the recommendation of zoning the new area of impact to the county not to dictate lot density. John Langs seconded the motion. The motion passed, all in favor.

The request for approving travel for Mike Klaus and Gary Falcon to attend the FEMA Flood Plain Management Plan Workshop in Coeur d'Alene on August 10, 2006 was the next agenda item. Dave Gray moved to approve the travel for Mike Klaus and not Gary Falcon since he is resigning his position effective July 27, 2006. John Langs seconded the motion. The motion passed, all in favor.

Leslie Falcon moved to approve the parade permit for Selkirk Saddle Club for the parade on July 22, 2006 and keep the special event fee of \$100 but waive the cleanup fee if the cleanup is satisfactory. Russ Docherty seconded the motion. The motion passed – Russ Docherty, Leslie Falcon, Dave Gray, John Langs “no”.

The billing policy and extension policy changes were discussed. This is just a clarification of the practice that is being followed according to Stephen Boorman. The electric service standard has changed from two inches to two and a half inches. The reason is for the long secondary lines and the two and half-inch requirement is the standard for Northern Lights. Dave Gray questioned item number three of the billing policy concerning disconnections without notice and also number five concerning finance charges. Tim explained to Dave that these are good policies. Dave also requested that the nonsufficient check fee be increased to \$20 per check rather than \$10. Clerk cautioned if the NSF check fee is increased to \$20 then a fee increase hearing will be needed. Dave Gray moved to increase the check fee to \$20 at the next fee increase hearing. Leslie Falcon seconded the motion. The motion passed – Dave Gray “yes”, Leslie Falcon “yes”, Russ Docherty “yes”, John Langs “no”.

Dave asked for an explanation of kilovolts. Stephen will provide this to Councilman Dave Gray.

John Langs inquired about the rate class on residential in our billing and collections policy. He asked what size service is typical for a residential water service. Stephen said three-quarter or one inch is typical. He asked what the difference was for an inch and a half service. It was explained that the demand and peak load were factors. John asked about the garbage rates and the amount the city receives for each billing.

John Langs moved to approve the billing and collections policy as amended. Leslie Falcon seconded the motion. The motion passed, all in favor.

The Pine Street abandonment request was referred to the next meeting.

Leslie Falcon moved to authorize Mayor Kerby to sign the Block Grant contract with Idaho Department of Commerce for the Water Storage and Distribution Improvement

Project. John Langs seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Leslie Falcon moved to authorize Mayor Kerby to sign the amendment to the professional service agreement with Panhandle Area Council. John Langs seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Dave Gray moved to accept the resignation of Gary Falcon. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Dave Gray “yes”, Russ Docherty “yes”, Leslie Falcon “abstained”. Mayor Kerby requested a thank you letter be sent to Gary as his service to the city has been appreciated.

Two electric department employees, Steve Neumeyer and Dan Rice, have offered to volunteer on the High School football field lighting project. John Langs moved to approve the people volunteering from the City and that they be covered as part of city operations for insurance purposes. Leslie Falcon inquired if city equipment will be used for safety issues. Stephen said our employees will be using city equipment. The motion passed, all in favor.

Council considered the estimated payment of \$6,500 to Welch Comer for bidding services on the visitor’s center/parking lot project. Russ Docherty moved to approve the payment for the bid packages. Dave Gray seconded the motion. The motion passed, all in favor.

At 8:10 p.m. Leslie Falcon moved to go into executive session per Idaho Code 67-2345 for personnel and legal issues. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. At 8:37 p.m. Russ Docherty moved to go out of executive session. Dave Gray seconded the motion. The motion passed, all in favor. No action was taken.

Dave Gray commented that he will accept the Block Grant funding from Department of Commerce tomorrow.

There being no further business, the meeting adjourned at 8:38 p.m.

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Darrell Kerby, Mayor

Attest:

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Kris Larson, City Clerk