

Mayor Darrell Kerby called the regularly scheduled council meeting of September 4, 2007 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Russ Docherty, Council Members Mick Mellett, John Langs, and Dave Gray, City Administrator Stephen Boorman, Fire Chief Larry Owsley, Police Chief Dave Kramer, Economic Development Coordinator Mike Sloan, City Attorney Tim Wilson, and Clerk Kris Larson. Also present were Dolly Boling, Jay Cohn, Jerry Higgs, Tina Wilson, Samantha Kelly, Roy and Sammie Day, Elaine Sandman, Dave Sims, Marcia Cossette, Ralph Byquist, Connie Wells, Riley Boorman, and Dave Anderson.

The first order of business was the fiscal year 2008 budget hearing. Tina Wilson inquired if council has had budget discussions previously. She just wanted to understand the process. Mayor Kerby told her if she had comments now was the time to voice them.

Dave Sims inquired about the south hill slough grant. Mayor Kerby said the ITD gave the money to the city and then they did not want to hear from the city again. Darrell said it is carry forward for future armor rocking. Mayor Kerby recessed the hearing at 7:09 p.m.

Jerry Higgs addressed council. He said the street department and John Youngwirth deserve a big pat on the back for the work they are doing. He is concerned about the multi tasking and landscaping that is taking away from their street duties and taking care of noxious weeds. He is concerned about the weeds causing visibility problems for traffic. He said there is no stop sign at Palmer and Kaniksu. He would like to see a center stripe on Vista also. There are no painted red zones in the downtown area near the fire hydrants. He discussed painting no parking areas and erring on the side of caution. He would like to see the street department put back on their regular duties to take care of these issues.

Roy Day spoke to council. He asked whose decision it was to turn the water on Friday. He said it was a bad decision. Mayor Kerby said the specialist for the valve system could not be here on any other day so it was done on Friday. He said there is a contractor. Roy asked about a hold back for payment to the contractor. Roy expressed his concern about overtime for the city workers for the weekend duty they had to put in. Roy asked about the pressure regulator and who set it. Stephen said that Roy is upstream from the pressure reducing valves to prevent pressure getting higher than it should have been. Roy said he has a fountain that runs in the yard. Sammie said it shot the bathroom faucet in the air about three feet. She said the plumber said their pressure was 105. Roy said they have been in their home since 1965 and there have never been any leaks. Mayor Kerby said he has had a few homeowner claims at Pace-Kerby. Roy gave a letter to the Mayor to read. The amount of the plumber's bill was \$215. Mayor Kerby said the city needs to test the pressure because it should not be that high. Stephen said the city maintains the water system up to the meter but from the meter to the house work must be done by a contractor but inside the house work must be a licensed plumber. He said the city does not work past the meter. Mayor Kerby told Roy to fill out a tort claim. Roy said the engineering was not done properly.

Mayor Kerby recognized Homecoming Committee Members Samantha Kelly and Riley Boorman. The student body is requesting a parade on October 12, 2007 at 3:00 p.m. They submitted a parade permit application designating the parade route. Riley said the curfew extension is requested until 1:00 a.m. on October 13, 2007 for the homecoming dance. Mick Mellett moved to authorize the parade permit and waive the fees and extend the curfew for the dance pending approval of the Police and School Board. Dave Gray seconded the motion and it passed, all in favor.

Dolly Boling from Friends of Downtown spoke to council regarding the Harvest Festival and chili cook-off scheduled for October 6, 2007. She asked to close Main Street from Bonner to Kootenai and on Bonner Street from Main to First Street. She said it is scheduled to have the ribbon cutting ceremony for the visitor center at 10:00 a.m. and then the harvest festival to begin at 11:00 a.m. She asked that the special event fees be waived and listed the different activities that are scheduled. Tina Wilson commented that the Chamber of Commerce will be contributing funding for out of town advertisement for the event. John Langs moved to approve the special event permit for the Harvest Festival and waive the fees and to consider the event a city function so it will be covered by the city insurance. Dave Gray seconded the motion. Dolly said firemen from the different fire departments will judge the chili contest and Marcia Cossette said she would like two policemen to judge the pumpkins. The motion passed, all in favor.

Dave Kramer said the full-scale exercise for the school shooter training went well with a good turnout. The final critique has not been received by the experts. The LEPC meeting is tomorrow at 8:00 a.m. at the visitor center. There have been several arrests since the last meeting with one escapee and he was later caught.

Larry Owsley said there was a call on August 28 for a suspicious gas odor in the Valley View area. He said they are still chasing ghosts as nothing was found. He said three of his firemen will be working with the experts from the 101st Airborne for training on communications during emergency events. Six firemen will attend flashover training this coming weekend.

Mick Mellett moved to approve the consent agenda. Russ Docherty seconded the motion and it passed, all in favor. The consent agenda contained the following: roll call; approval of September 4, 2007 accounts payable; approval for six firemen to attend Flashover Training at the Landfill from September 7-9, 2007; approval for John Youngwirth to attend Road and Street Maintenance Supervisors Conference in Spokane, WA from October 2-4, 2007; approval for two street employees to attend Idaho Asphalt conference in Moscow on October 25, 2007.

Stephen said council was given an updated P&Z ordinance to review. He said one of the issues was for a sunset on special uses. He said planned unit developments will be used to handle multi family dwellings. He said September 18 is the next hearing on the ordinance. Mike Sloan said Riley Creek had mentioned they may need a zone change at the old mill site and the old ordinance would allow this but the new ordinance would not. He said Riley Creek wanted this to be considered. Mayor Kerby said the stair stepping of

the zoning is being changed in the new ordinance. Stephen said the areas that are not stair stepped are highlighted in the draft copy. John Langs would like the ordinance to go back to Planning and Zoning for their input. He is concerned about the multiple unit development. Stephen explained the planned unit development concept and said duplexes could be allowed in residential zones if council chooses. Mike said mixed unit development would allow different uses within a designated zone such as the industrial site owned by Riley Creek.

Mayor Kerby inquired about urban renewal districts and the timeframe for this. Stephen said Panhandle Area Council would need to be contacted to help us through the process. Mayor Kerby explained urban renewal districts. Tina Wilson commented about the Seasons Project in Sandpoint being in an urban renewal district.

John Langs moved to send the ordinance back to planning and zoning. Dave Gray seconded the motion. Mick Mellett asked if the doing away with the stair step process came from planning and zoning. Mayor Kerby said it did. The group discussed the ordinance and whether it should go back to planning and zoning. Mick would like to see the ordinance go back to planning and zoning after the next council hearing. Dave Gray said he would like it to go back to planning and zoning after council makes changes. John Langs "yes", Russ Docherty "yes", Mick Mellett "no", Dave Gray "yes".

Tim Wilson gave an update on annexation. He said one of the issues is matching the addresses up with the utility customers and the property descriptions. Once the matching is done then we can notice annexation. Stephen said there is a lot of work to be done to match up the descriptions. Stephen said the problem is the matching of parcels to water/sewer services. Tim said rentals will also be a problem.

Jay Cohn spoke to council regarding resort tax. He asked if Bonners Ferry is a resort city. He said taxes could be levied on beds and liquor sales and the funds could be used on projects such as the clock tower. He said if the city feels they are a resort city they can apply for the resort designation. Jay said retail sales have increased \$15 million over the past five years in Bonners Ferry. He said there are two motels in the city limits and another would be included if property is annexed south of town to the golf course. The citizens must vote for the resort designation. He said the money can be spent on city improvements and infrastructure. Mayor Kerby said the voters must spell out the use for the funding. Jay said the Kootenai River Inn is exempt as a sovereign nation. Jay said most bed tax is in the amount of five percent and alcohol sales taxes are between two and three percent. Jay said most of the motel rooms were booked in Bonners Ferry by 2:00 p.m. this summer according to Carl and Sherri Hendricks at the visitor center. Dave Gray said he would like to look at the information presented and bring it back at another meeting. Sandpoint has generated \$855,000 in the last five years from resort tax. Mike Sloan will look at this.

Jay spoke regarding the clock tower project. He said funding raised in the past two weeks has been in the amount of \$16,000. Some of the funding will not be delivered until after the first of the year. Jay reported that the committee met with Fred Nystrom

today and he will put together firm quotes for the city. Jay said two names have been submitted for the tower. One being the Firemen's Tower and the other Harold Sims Tower. The estimated budget is between \$20,000 to \$25,000. The next council meeting will include a budget presentation from the clock tower committee. Council thanked Jay for his excellent work on the project.

Stephen told council that Sewell and Associates offered to increase the building permit fees retained by the city by five percent making the total fee retained 20 percent under the new contract. Dave Gray said he has received complaints from the public regarding the building permits and stop orders issued by Sewell and Associates. Stephen said he has not received complaints other than dollar complaints. Mayor Kerby said he wants Sewell to know that they should be as helpful as possible to the public even when they are issuing stop orders. Mayor Kerby said we can invite Sewell to visit with council regarding the contract. Mick Mellett moved to enter into the contract with Sewell. Russ Docherty seconded the motion. Dave would like to let Sewell know that if the contract is signed it is due to the increase in funding received by the city but he wants them to know that we have the option to terminate because we don't like how they are treating our citizens. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Christmas decorations for the new parking lot were the next agenda item. Dave Gray moved to approve the proposal for Christmas decorations. Russ Docherty seconded the motion. The motion passed, all in favor.

Mick Mellett moved to authorize the Mayor to sign the fire/law enforcement contract with the Kootenai Tribe for fiscal year 2008. Russ Docherty seconded the motion. Fire inspections were required by the fire department in the previous contract. Mayor Kerby said the Tribe was pleased with the services provided. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Mike Sloan said Riley Creek developers were in Bonners Ferry to look at the mill site. The development will be a long process but Mike feels they are serious about the development.

Stephen said the start up of the new tank had its bumps. Mayor Kerby clarified that we had leaks not bumps. Stephen said the number of leaks was a surprise. Leaks on Pierce Street, Washington Street, Monroe Street, El Paso Street, and Van Buren Street are known. The water crew has done a great job with the leaks and dealing with the water project issues. Mick inquired about the elevation of the new tank compared to the bottom of Washington Street. The group briefly discussed the water pressure at the Day residence. Stephen and the Mayor spoke about the pressure when the new tank went on line. Stephen said the high school athletes distributed the fliers for the water department notifying customers of the water tank start up.

Mayor Kerby reopened the hearing on the budget for fiscal year 2008. There being no further comments John Langs moved to close the hearing at 8:37 p.m. Dave Gray seconded the motion. The motion passed, all in favor.

Russ Docherty moved to have the first reading of Ordinance 505. Mick Mellett seconded the motion. The motion passed, all in favor. Clerk Kris Larson read ordinance 505 in its entirety.

John Langs moved to have the second reading of Ordinance 505 by title only and waive the third reading. Dave Gray seconded the motion. The motion passed, all in favor. Clerk Kris Larson read Ordinance 505 by title only.

Mick Mellett moved to adopt Ordinance 505. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”. Ordinance 505 reads as follows:

Ordinance 505

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR, BEGINNING OCTOBER 1, 2007, APPROPRIATING THE SUM OF \$16,126,702 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BONNERS FERRY, FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE.

BE IT ORDAINED by the Mayor and City Council of the City of Bonners Ferry, Boundary County, Idaho.

Section 1. That the sum of \$16,126,702 be and the same is hereby appropriated to defray the necessary expense and liabilities of the City of Bonners Ferry, Boundary County, Idaho, for the fiscal year beginning October 1, 2007.

Section 2. That the objects and purposes for such appropriations are made as follows:

Proposed Governmental Fund Expenditures

General Government	\$203,902	
Police Department & Police Grants	510,777	
Animal Control	6,790	
Fire Department	203,505	
Parks Department	56,040	
Swimming Pool	54,725	
Golf Course	126,690	
Street Department	444,459	
South Hill Slough Grant	40,199	
D.A.R.E./School Resource Officer	59,770	
Economic Development Coordinator Grant	4,000	
Capital	106,282	
Inter-Department Contingency	350,000	
Total General Fund Expenditures		\$2,167,139

Electric Fund	7,336,015	
Water Fund	5,544,620	
Sewer Fund	865,657	
Garbage Fund	111,099	
Capital Project Fund	50,100	
L.I.D. #2002-1	52,072	
Total Enterprise, Capital Project, and L.I.D. Expenditures		13,959,563

- Section 3. That the General Levy of \$452,105 on all taxable property within the City of Bonners Ferry be levied in an amount allowed by law for general purposes for said City, for the fiscal year beginning October 1, 2007.
- Section 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall take effect and be in full force on October 1, 2007, after its passage, approval and publication in the Bonners Ferry Herald, a newspaper of general circulation in the City of Bonners Ferry, and the official newspaper thereof.

PASSED under suspension of the rules upon which a roll call vote was taken and duly enacted an ordinance of the City of Bonners Ferry at a convened meeting of the Bonners Ferry City Council held on September 4, 2007.

APPROVED by the Mayor the Fourth Day of September, 2007.

/s/ Darrell Kerby, Mayor

ATTEST: /s/ Kris Larson, City Clerk

John Langs moved to authorize Mayor Kerby to sign pay request #7 for the visitor center project pending ITD approval. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Mick Mellett “yes”, Dave Gray “yes”.

Mick would like to see a sewer update as soon as possible. He is concerned about sewer issues. Stephen said the sewer master plan will be worked on this fall sometime. He said we will work with Panhandle Area Council on the sewer study solicitation of professionals. Stephen said we want to dredge the sewer lagoons this fall to see if this will help the issue.

The clarifiers for the water project should be here within the month for the water backwash issue according to Stephen.

Dave Gray said he has received comments regarding an electronic sign in the flag park for community events. Stephen said the recommendation from the visitor center committee is to have a sign on the ground near the flag park with the same feel as the visitor center décor.

Dave Kramer said John Youngwirth is designating an area in the city parking lot for dog walkers and the police department is providing the hydrant and Gini Woodward will paint it.

Mayor Kerby said Daughters of the Revolution brought a Mayor Proclamation for him to sign regarding Constitution Week.

Dave Gray moved to adjourn the meeting at 8:54 p.m. John Langs seconded the motion. The motion passed, all in favor.

Darrell Kerby, Mayor

Attest:

Kris Larson, City Clerk