

Mayor Darrell Kerby called the regularly scheduled council meeting of December 19, 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, Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, Fire Chief Larry Owsley, and Economic Development Coordinator Mike Sloan. Also present were Dave Anderson, Candace Wilkerson, and Michael Brazell.

Michael Brazell spoke to Council regarding the noise that General Feed and Grain generates. He said several motors run and exhaust vents are oriented in the north direction. He asked why the business is allowed to generate that type of noise. He finds it to be quite annoying. Mr. Brazell has spoken to the business owner. Most people do not notice it because it is always on. He sees the value of the business but feels they are imposing on the citizens with their noise. Also, another noise-based complaint is the large trucks using their compression brakes and Mr. Brazell thinks they are loud and rude. He said they are coming down to town from the south and also on Kaniksu. He asked if the City of Bonners Ferry would consider an ordinance prohibiting the jake brake noise. He also spoke about plastic recycling and does not think it would be that hard to implement this type of program. The hillside on the left side of the bypass when leaving town to go south is a concern of his. He wondered if it is stable.

Mayor Kerby said the cut of the slope on the hillside has been a concern for his lifetime. The biggest target is the Burlington Northern Railroad and the Department of Transportation. He said over the years there have been attempts to mitigate the slope and sloughing of the hill with blocks, grasses, trees, etc. There is also funding in a special account at the City for the slough. Mayor Kerby said there is armor rock that was put there about ten or twelve years ago and the thought was to allow the rock to gain natural repose based on the stabilization of the last armor rock. The Forest Service has offered their geological folks and soil conservationists for assistance. Mayor Kerby said it is a continuing issue but the money is a problem.

Mayor Kerby said the plastic recycling comes and goes and there is nothing prohibiting recycling but to-date there is none in the City. Currently there is no city ordinance requiring recycling. Mayor Kerby said there is a recycling program at the County to save space in the landfill. He said there has not been a lot of interest in recycling. Mayor Kerby explained how the landfill fees are collected by the county and said the city contractor does not have the funding to purchase the recycling containers. Mr. Brazell said the landfill separates out about six or seven recyclable bins for different items. Mayor Kerby explained there is no recycling separation required at the curb for city residents. Mr. Brazell said he is not asking that the recycling be required. Mayor Kerby suggested Mr. Brazell speak to Woody Watts at the landfill.

Mayor Kerby said the truck noise has been mentioned before. He has heard talk that often the trucks using the compression brakes are not local trucks most of them are from out of town unless there is a safety issue where the jake brakes may be required. Most of the trucks are hauling 80,000-pound loads. Leslie Falcon said there have been horrendous accidents in our community and does not consider the noise a problem. Mr.

Brazell said he hears it quite clearly and other cities have a noise ordinance. Leslie said other cities do not have the height to climb or come down the hills and she thinks safety out weighs the noise. Mayor Kerby said the city could pass an ordinance if they are so inclined. Dave Kramer said the Police are working with the State Patrol for citing trucks that have altered their exhaust systems to make them louder.

Mayor Kerby commented on the General Feed and Grain noise issue. He said he has heard it more on a seasonal basis and thinks it is for their dryers. He said agriculture has a special status in the State of Idaho due to the legislature and the right to farm is a big issue in Idaho. He thinks the Right to Farm would prevail over the noise but they could contact an attorney.

Attorney Tim Wilson joined the meeting at 7:28 p.m.

Michael Brazell asked Council to take note of the noise next time they are at Safeway or the Courthouse. He said most people probably ignore it but he does not.

Dave Kramer said a letter of resignation was received from Allen Ashby as he is going to work for the Idaho State Police. There have been 32 incidents in the last two weeks. The Police have put on scam awareness training for senior citizens.

Larry Owsley said there have been two CO2 incidents since the last meeting. Mayor Kerby asked if public awareness is being done for the citizens. Larry said he gets calls weekly and the Fire Department does their best to inform the public. Dave Kramer offered to put information in the Police Notes in the paper. Mayor Kerby said we could put information in the utility bills. Larry said there is a problem again at a residence near Les Schwab. Dave Kramer is aware of it.

Leslie Falcon asked to remove approval of accounts payable from the consent agenda. John Langs moved to approve the consent agenda with the exception of accounts payable. Dave Gray seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval for Alan Branson and Jim Fritzsche to attend the exam for water distribution certification in Coeur d'Alene on March 27, 2007.

There was nothing on the annexation of property.

Tim Wilson said the parking agreement for overnight parking in the City parking lot will be ready for the next meeting.

Leslie Falcon inquired about the Cabinet Mountains Water bill. Stephen explained the costs are due to the work being done at the water plant. Leslie Falcon moved to approve the accounts payable for December 19, 2006. John Langs seconded the motion. The motion passed, all in favor.

Leslie Falcon moved to approve beverage licenses for 2007 pending receipt of proper documentation and payment of fees. Dave Gray seconded the motion. The motion passed, all in favor.

The mileage reimbursement rate was discussed. Russ Docherty moved to approve the mileage rate of .485 cents per mile effective January 1, 2007. Leslie Falcon seconded the motion with a question. She asked if there is ever a reduction in the rate. There was one earlier this year. She asked that we keep up with the IRS when there is a reduction as well as an increase. The motion passed, all in favor.

The water leak policy was the next agenda item. Dave Gray inquired about reasonable time for disconnects and asked for a definition. Stephen explained about different scenarios that occur with utilities. Dave asked if the wording is okay from a legal standpoint. Dave inquired what a door hangar charge is. Mayor Kerby explained. Russ Docherty moved to approve the water leak policy. Leslie Falcon seconded the motion. The motion passed, all in favor.

Stephen explained the issue of connections to the city sewer. He said when the ordinance is written it will require connections to the sewer system. Leslie inquired if a septic system is grandfathered and the septic goes bad what will happen. Stephen said the thought is to have any sewer connection required within 200 feet of the line. Stephen said Panhandle Health District covers drain fields. Stephen said sewer connections have an impact on development.

There has been a load of logs taken off the water tank site and the agreement with Riley Creek needs to be signed. Russ Docherty moved to authorize the Mayor to sign the Riley Creek Log Purchase Agreement. Dave Gray seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

Mayor Kerby said the district-wide officials meeting will be held January 22, 2007 in the evening.

At 7:54 p.m. Leslie Falcon moved to go into executive session per Idaho Code 67-2345 for the discussion of legal issues. Russ Docherty seconded the motion. The motion passed – John Langs “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. At 8:10 p.m. Russ Docherty moved to go out of executive session. John Langs seconded the motion. The motion passed, all in favor. No action was taken.

Dave Gray moved to accept the resignation of Allen Ashby with huge regret. Leslie Falcon seconded the motion. The motion passed, all in favor.

There being no further business, the meeting adjourned at 8:12 p.m.

Attest:

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Kris Larson, City Clerk

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Darrell Kerby, Mayor