

Mayor Darrell Kerby called the regularly scheduled council meeting of December 20, 2005 to order at 7:00 p.m. Present for the meeting were Mayor Kerby, Council President Mick Mellett, Council Members Russ Docherty, Leslie Falcon, and Dave Gray, Clerk Kris Larson, City Administrator Stephen Boorman, Police Chief Dave Kramer, Fire Chief Larry Owsley, and City Attorney Tim Wilson. Also present were Council Member Elect John Langs, Electric Department Employee Blaine Grossman, and Lucy Dukes from the Bonners Ferry Herald.

Larry Owsley gave the fire report. The Fire Department has had very few calls but one was at the Bonners Ferry Herald Office and the problem was an overheated light fixture nearly causing a fire. On January 12, 2006 there is an emergency response class scheduled. The two digital cameras have been purchased with left over money from the Homeland Security Grant. Larry went over upcoming classes and meetings.

Mayor Kerby officially thanked and commended the Fire Department for making sure Santa was brought to town.

Leslie Falcon inquired about the fire truck in the Richland/Kennewick area. Larry said the truck is being held for the City to look at after the holidays when their mechanic is available.

Dave Kramer gave the Police report. There have been two felony cocaine arrests from illegal aliens at the Kootenai River Inn parking lot. Five warrant arrests were made; there were a couple hit and run accidents; and a person was charged with stalking. Approval from the State of Idaho was received today for about \$27,000 for updating mobile radios in the vehicles for the City and County and providing personal protective gear and equipment. This is under the Homeland Security Grant.

Mick Mellett moved to approve the consent agenda. Leslie Falcon seconded the motion. The motion passed, all in favor. The consent agenda contained the following: roll call; approval of December 20, 2005 accounts payable; approve of December 6, 2005 council meeting minutes; approval for Dan Rice to attend a class on Foreman Leadership Skills in Pasco, Washington on February 6-7, 2006; approval for Blaine Grossman to attend Meterman Apprenticeship Training Class in Wenatchee, Washington beginning January 23, 2006; approval for two linemen to attend Substation Training at Northern Lights in January, 2006.

Tim Wilson spoke to Council about the area of impact and said if Council is happy with the map that he is ready to take it to the County for their Planning and Zoning to look at it. He requested to have joint hearings with the County on the area of impact ordinance to speed up the process. The Mayor instructed Tim to proceed.

The annexation issue is on hold according to Tim Wilson until the outcome of a property sale is complete.

Russ Docherty moved to have the third reading of the Subdivision Ordinance (Ordinance 495) by title only. Dave Gray seconded the motion. The motion passed, all in favor. Clerk Larson read the subdivision ordinance by title only.

Russ Docherty moved to adopt Ordinance 495. Leslie Falcon seconded the motion. The motion passed – Mick Mellett “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. The summary of Ordinance 495 reads as follows:

**SUMMARY OF ORDINANCE 495  
REGARDING  
SUBDIVISION REGULATIONS  
CHAPTER 1  
GENERAL PROVISIONS**

**12-1-1: TITLE:**

These regulations shall officially be known and cited as the *SUBDIVISION ORDINANCE OF THE CITY OF BONNERS FERRY*.

**12-1-2: PURPOSE:**

These provisions are adopted to provide for the orderly division of land within the city, and:

- A. To protect and provide for the public health, safety, and general welfare of Bonners Ferry;
- B. To guide the future growth and development of the city in accordance with the comprehensive plan;
- C. To encourage the order and beneficial development of the community's land;
- D. To guide public and private policy in order to provide adequate and efficient streets, sewerage, drainage, parks and public facilities;
- E. To establish standards for development and installation of improvements for subdivisions, including water, sewer, streets and drainage;
- F. To further the orderly layout and use of land, and to ensure proper legal description and monumentation of subdivided land;
- G. To ensure that public facilities and services are available concurrent with development and will have sufficient capacity to serve the subdivision;
- H. To ensure that the community will bear no more than its fair share of any cost of providing services by requiring the developer to pay fees, furnish land, or establish mitigation measures to provide a fair share of capital facilities needs generated by the development;
- I. To assure the adequacy of drainage facilities to safeguard the water table, and to encourage the wise use and management of natural resources to preserve the stability and beauty of the community and the value of the land;
- J. To provide open space through the most efficient design and layout of land, while preserving the density of development as established in the zoning ordinance of Bonners Ferry.

**12-1-3: AUTHORITY:**

- A. This Title is adopted pursuant to the authority delegated to the city pursuant to article 12, section 2 of the Idaho constitution, Idaho Code, Title 67, Chapter 65 and Title 50, Chapter 13.
- B. The provisions of this Title shall be administered to ensure orderly growth and development and shall supplement and implement provisions of the Bonners Ferry comprehensive plan, this code and the capital improvements plan. By virtue of this Title the city council, planning commission and administrative staff of Bonners Ferry are vested with the authority to review, approve, approve with conditions, or disapprove applications for subdivision of land.

**12-1-4: FEES AND MITIGATION:**

- A. The city council may, by resolution, adopt reasonable fees related to the cost of services associated with review, processing and inspection of subdivision of land.
- B. The city may, as a condition of approval of a subdivision, require mitigation of the effects of development on the ability of the city, and other political subdivisions, to deliver services without compromising quality or imposing substantial additional costs to current residents.

**12-1-5: ENFORCEMENT AND PENALTIES:**

- A. No building permit will be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations or state platting statutes, nor shall the city have any obligation to issue any certificates of occupancy or to provide utility services to any parcel created or established in violation of these provisions.
- B. Violations of the provisions of this Title may be deemed a misdemeanor with each day such violation continues constituting a separate offense. The city shall have recourse to such civil remedies in law and equity as may be necessary to ensure compliance with the provisions of these regulations.

Mayor Kerby recommended Ron Smith and Brion Poston for the Golf Committee, Bob Collyer, Glenda Poston, and Jay Wages for the Planning and Zoning Committee, and Mike Woodward for the Traffic Safety Committee. Leslie Falcon moved to accept the

Mayor's recommendations for committee appointments. Russ Docherty seconded the motion. The motion passed, all in favor.

The golf contract was discussed. Mayor Kerby informed Tim Wilson that the contract needs modifications for a two-year period and that the profit and loss statement is to be confidential.

The road standards policy was reviewed. Leslie Falcon said she would like to know if the residents up to five houses per acre should be changed to 2.5 houses. Mick Mellett would like to see sidewalks put in so the community can be a walking community. Mick expressed concern about the historical nature of not requiring sidewalks but thinks that as the community grows sidewalks or pedestrian ways should be required in subdivisions. Leslie would like to see this also in the new areas. Mayor Kerby asked Council to review the policy and discuss it at the next meeting. Russ Docherty moved to table the issue until the next meeting. Leslie Falcon seconded the motion. The motion passed, all in favor.

The District 1 Waterline Project budget was discussed. There was additional money that was thought to be coming from USDA Rural Development but there was an error in the understanding. USDA increased the project budget but no more funding will be coming from USDA Rural Development. The City will receive approximately \$282,000 for the District 1 Waterline project from USDA Rural Development. This is the remainder of the \$500,000 grant that was funded for the water emergency in the fall of 2003 after the Myrtle Creek Fire. Mick Mellett stated there is the ability to draw this shortfall from the water bond and it is viable according to the bond attorney. Leslie Falcon read over the options that the City has concerning the District 1 Water Project as presented by Welch Comer. The only option according to Council is to complete the project and the City pay the additional costs of \$249,000 before contingency. Stephen Boorman gave an update on the status of the waterline project. The group discussed the return on the City's investments through the grant funding that we have received.

Mick Mellett moved to authorize the Mayor to sign the contracts with North Water and Sewer District and South Hill Water and Sewer District for the water and sewer services for 2006 and send them to the districts. Leslie Falcon seconded the motion. The motion passed – Mick Mellett “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”.

January, 2006 meeting dates were discussed. The first meeting date will remain January 3, 2006 and we will contact Mick and Leslie by speaker phone as they will be in Florida.

Russ Docherty moved to approve the 2006 beverage licenses as presented pending receipt of proper documentation and fees. Mick Mellett seconded the motion. The motion passed, all in favor.

Mick Mellett moved to support the South Hill Pavement Rehabilitation Project from Alderson Lane north. Leslie Falcon seconded the motion. The motion passed, all in favor.

The ordinance for limiting the sale of methamphetamine precursor drugs was discussed. This ordinance is an attempt to make it more difficult for people to acquire pseudoephedrine products for the manufacture of methamphetamine. Dave Kramer spoke to council explaining the controls that will be in place through this ordinance. He said some of the businesses are complying already. This ordinance is similar to the ordinance that is in place in Coeur d'Alene.

Mick Mellett moved to have the first reading of Ordinance 496 Limiting the Sale of Methamphetamine Precursor Drugs by title only. Leslie Falcon seconded the motion. The motion passed, all in favor. Attorney Tim Wilson read Ordinance 496 by title only.

The amendment of ordinances designating maximum penalty will be set by resolution and Attorney Tim Wilson will work on this amendment.

Dave Kramer recommended the appointment of Genevieve Hoyle as a reserve police officer. She will attend the reserve academy in 2007 but until that time she will receive in-house training. Mick Mellett moved to approve the appointment of Genevieve Hoyle as a reserve officer. Leslie Falcon seconded the motion. The motion passed, all in favor.

Mayor Kerby commented that this is Mick Mellett's last regular council meeting and the City has appreciated his long term service. Mick said the project that concerns him the most is the parking lot project. He said this project will determine the ownership of the parking lot. Mayor Kerby thanked Mick for the effort he put into City Council and City issues. Russ Docherty commented that one good aspect of the City Council is that they have been unified when they leave the meeting even though they may have disagreed during the meeting.

Mick Mellett moved to go into executive session per Idaho Code 67-2345 to discuss negotiations and legal issues. Russ Docherty seconded the motion. The motion passed – Mick Mellett “yes”, Russ Docherty “yes”, Leslie Falcon “yes”, Dave Gray “yes”. At 8:32 p.m. Leslie Falcon moved to go out of executive session. Russ Docherty seconded the motion. The motion passed, all in favor. No action was taken.

At 8:33 p.m. the meeting adjourned.

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Darrell Kerby, Mayor

Attest:

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Kris Larson, City Clerk