

Mayor David Sims called the Council meeting of November 6, 2018 to order at 6:00 pm. Present for the meeting were: Council President Rick Alonzo, Council Members Adam Arthur, Valerie Thompson and Ron Smith. Also present were: City Administrator Lisa Ailport, City Attorney Andrakay Pluid, Police Chief Brian Zimmerman, City Engineer Mike Klaus, Economic Development Coordinator Dennis Weed and Clerk/Treasurer Christine McNair. Members of the public present were: Lauren Kuczka, Dennis Dinning, Craig Johnson, Eldon Koon, David Koon, Christine Koehun, Ed DePriest, Marty Martinez, Brion Poston, Steve Nelson, Patty Nelson, Marciavee Cossette, Gerry Ann Howlett, Denise Crichton, Jessica Tingley, Steve Economu, Julie Williams, Ralph Lotspeich, Tana Yeoumans and Dave Gray.

Dennis Dinning gave a presentation regarding the 2016 hospital levy and how the levy has been spent. Boundary Community Hospital is a critical access hospital and a level 4 trauma center. The hospital is one of the county's largest employers with 195 employees. The nursing home is tested every year by the state and has had zero deficiencies for two years in a row. In 2016, \$828,000 was requested for the levy, which was just the amount needed. In 2018, the laboratory, surgical and radiology purchases have been completed. In 2019, the main fire alarm and the climate control for the whole hospital will be done. The results for micro scan bacteria testing are available in one hour instead of days. Laboratory is recognized as one of the best in Northern Idaho. The hospital started doing outpatient surgeries including knee, hip and shoulder replacements in September with great results. The hospital also offers physical and occupational therapy which is necessary after surgery. Other outpatient services offered are CTs, MRIs, ultrasounds, mammograms and speech therapy. Cardio services here are the same services as Kootenai Health in Coeur d' Alene. North Idaho Pain Clinic will soon be operating out of the hospital as well.

Mayor Sims read the proclamation for National Rural Health Day.

Ed DePriest has lived on Tamarack Lane for 12 years. He has watched how the drivers react to the speed limit sign and the stop sign. Ed spoke with Chief Zimmerman and Officer Martinez and was told it is being watched. The student drivers do not follow the rules. Ed feels that 12:30 pm – 1:00pm should be an emphasis by the school resource officer to monitor that intersection. The students like to drift around the corner on Tamarack and the high school road.

Chief Zimmerman said that the department has not been fully staffed since before he arrived. Two officers will graduate on December 7, 2018. Officer Martinez will be leaving to join Idaho State Police in January. Travis Stolley will be part time for November and full time in December. Lieutenant Christian Frye resigned as of November 17, 2018. Marty Ryan will be filling the position vacated by Christian Frye. Chief Zimmerman wants to change the title from Lieutenant to Assistant Chief of Police.

City Administrator Lisa Ailport gave her report. Fall clean-up week is underway, JRS is currently working on the legal description for the right-of-way from Wilson Street to Solomon Street with the hopes of having it completed in December. The logging of Unit 1 is complete and the logs have been sent to the mill. Unit 3 was recently completed and the amount of lumber removed from that unit is approximately 100,000 board feet more than expected. Unit 2 is behind the dam. The majority of cedar is in this unit. The logging was

scheduled to be completed by November 15, 2018, the forester will most likely ask for an extension at the next Council meeting. The total from the surplus auction was \$30,144.06. The Electric fund total was \$22,538, the General fund total was \$6,156.06 and the Water/Sewer fund total was \$1,450. The pump from lower pond at golf course was pulled, concrete was poured behind City Hall and it was asphalted today. The drainage on Fairway #1 and Fairway #4 has been worked on. Permission from BNSF Railroad is needed to be able to tie into current drainage. There is 100 feet remaining in the BNSF right-of-way, as soon as permission is granted, then the work will be finished. Andre Rosengrant passed Level 1 water treatment exam and Level 1 water distribution exam. Mayor Sims and Lisa have been working with John Austin to create a new Urban Renewal District. Mayor Sims said he wants to create a new district to structure the taxes differently. The top five capital improvement plans for the Transportation Plan have been given to the consultants. There are several LHTAC grants that will be available soon and the City is hoping to apply for the grants. The Bike/Ped Plan is currently working on the wayfinding signs. There are funds available until June 2019 for a gateway entry sign, which Lisa will work with Elaine Clegg to create and place.

City Engineer Mike Klaus said 2017 slide funding of approximately \$52,000 should be received in next 14 days. The self-supporting retaining wall behind City Hall was constructed this week by the Street Department and Bruce Dally. The alleyway approach was fixed today. Idaho Transportation Department is willing to help with culvert underneath the BNSF Railway on Arizona Street to help prevent flooding. The utility trench from Madison Street to Alderson Lane will continue until the weather prevents further construction. The sidewalks will be graveled and the streets will be concreted for the winter. Pool construction started this week and should be ready for the first pour soon.

Ron Smith asked if the work from the Kootenai River Bridge to Madison Street is complete. Mike Klaus said the lighting on the East side of Highway 95 needs to be removed, since it is no longer needed. Mayor Sims said two additional feet of concrete need to be poured for the sidewalk on the Arizona Street bridge.

Economic Development Coordinator Dennis Weed said the Pape building has a contract on it. A lot of businesses are looking to buy buildings in the County and City. The businesses are looking to expand and buy bigger lots. The Albertson's has a lease arrangement but the people do not need all of the building, so Dennis is trying to find someone else to share the building. The Visitor's Center is open Thursday thru Sunday, 10:00am – 2:00pm and are still getting visitors. Dennis said businesses were reporting more visitors this year than last year.

Rick Alonzo moved to approve the consent agenda. Adam Arthur seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Dennis Weed said the City of Moyie Springs is requesting to lease the property owned by the City of Bonners Ferry by the substation for a park. There are funds available to help develop the park and volunteers will provide labor and materials and grant funds will also be used to help complete the park. The entire park will be fenced to ensure safety. Mayor Sims checked with Darrell Kerby about liability. Darrell Kerby said if an agreement was

drawn up that will indemnify the City, hold the City harmless and list the City as an additional insured, then the risk will be very minimal. Rick asked how Kevin Cossairt, the Electric Superintendent, felt about the park being close to the substation. Mayor Sims said the Katka line fronts private property the whole way and a playground does not create an additional risk. Andrakay said the reason to ask Kevin was if the property was going to be sold not leased. Steve Economu said they are also concerned about liability. The fence will help minimize the liability.

Ron Smith moved to have Andrakay to draw up a lease agreement. Rick Alonzo seconded the motion. The motion passed with all in favor.

Mayor Sims said the addendum to the golf operator's contract is part of the original contract that was signed five years ago. Ralph sent a request this afternoon asking for another subsection X that will allow that to renew for another year after that. Mayor Sims said if subsection X is approved then the five year contract is not possible, because it will just be a renewal of the one year extension. Ralph said he is interested in a five year contract. Julie Williams said the reason for subsection X is to ensure there is conversation towards making sure a five year contract happens. Mayor Sims committed to having a five year contract prior to the start of the next golf season.

Adam Arthur moved to authorize the mayor to sign a one year contract extension agreement with Kootenai View Golf Resources effective until December 31, 2019. Ron Smith seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

The role of the golf committee and the Friends of Mirror Lake was discussed. An update was received in October from the Friends of Mirror Lake. Mayor Sims said this item was put on the agenda to discuss where the golf committee and the Friends of Mirror Lake fit into the golf course, along with the operator, City staff and City Council. It is very important to follow the open meeting law. Advisory committees, boards and commissions are subject to the open meeting law. If they have authority to make recommendations to a public agency, then the Friends of Mirror Lake could potentially fall under the open meeting law. Mayor Sims said the best solution is to make Friends of Mirror Lake a group that does not report to council, so that it does not fall under the open meeting law.

Valerie Thompson asked how many people are on the Friends of Mirror Lake that are on golf committee. Brion Poston said all of them. Steve Nelson said the Friends of Mirror Lake are most of the golfers. Steve Nelson said the reason the Friends of Mirror Lake made the recommendations, was due to the fact that the golf committee had been shut down. The Friends of Mirror Lake does not have an interest in interacting with Council. It is a group of volunteers that works with the operator and the golf committee. Mayor Sims said since the letter from the Friends of Mirror Lake was given to Lisa to present to Council that crosses the line as an organization by making recommendations to Council. Mayor Sims said there has been miscommunications and misunderstandings. There is concern that work is being done at the golf course without approval and consent of the Council.

Valerie Thompson does not want to tell a group of volunteers what to do with their own time and money. Brion asked where the money is coming from for the drainage project that

is being done at the golf course. Mayor Sims said the general fund. Brion said he thinks the project is great and very much needed, but the cart paths needed to be incorporated at the same time. Valerie said on August 20, 2018 everyone was notified that there will not be any money available for capital projects for fiscal year 2019. On September 1, 2018 the project was underway and the sod had been removed. Valerie said a private group of individuals decided to do this project, it was not in the plan and it was not approved. Valerie felt since the project had been started then the City now has a responsibility to make sure it does not negatively impact the golf course. Brion said the Friends of Mirror Lake will finish what was started. Valerie asked if the Friends of Mirror Lake are going to finish the cart path. Brion said they will complete the portion where the sod has been removed. Mayor Sims said the Friends of Mirror Lake did not ask permission to do the project. Brion said the Friends of Mirror Lake did not ask permission to install the monuments or build a bathroom. Ron Smith said anytime anything is done on the golf course there needs to be permission. Brion said then Friends of Mirror Lake is being asked to communicate with Council. Brion said the Friends of Mirror Lake need to communicate with the golf committee and the golf committee needs to communicate with Council. Andrakay said the operator and City staff can also communicate with Council. Mayor Sims said at the June meeting with the golf committee was the first time that the committee had even looked at the ordinance that explains their duties. Ron Smith said it was his understanding that a "time-out" was happening until January. During that time the ordinance was going to be updated. Ron also said that the City Administrator will be at every golf committee meeting. Brion said she can go to all of the meetings, but she does not run the meetings. Brion said it is the chairman of the golf committee's responsibility to run the meetings. Mayor Sims said the committees of the City have to cooperate and work with the City. When committees become adversarial the committee is no longer needed. The reason for the "time-out" was to find the best way to work forward. Mayor Sims said with Lisa and John Youngwirth being more involved in the course this year, there is less need for a golf committee as the originally was. Mayor Sims said there is so much overlapping, it all needs to be stripped away and a good working relationship with the City and the operator needs to be established, before any of the committees can play a productive role. Volunteers are very necessary, but all projects need to be approved. Valerie said Lisa goes to the golf committee meetings so she can be the direct conduit between the committee and Council.

Steve Nelson said the Friends of Mirror Lake formed due to the City not being able to fund projects at the golf course. The Friends of Mirror Lake is not a rogue organization, it worked with the operator. If the Friends of Mirror Lake is micro-managed, the City will lose a good asset. Adam Arthur said the problem is the memo is making recommendation to spend City money by the Friends of Mirror Lake. Steve said it was written since the golf committee is not allowed to communicate with Council. The Friends of Mirror Lake does not want to be involved with the City. Mayor Sims said it needs to be clear who is doing what and what the procedures are. Mayor Sims said a list of volunteers is needed for every project for insurance reasons. Valerie said she appreciates the work of volunteers. Steve Nelson feels there has been a large overreaction to the sod being removed for a proposed cart path. Steve does not believe there is an erosion issue. The reason for the memo was the Friends of Mirror Lake saw areas of the course that need to be addressed. Mayor Sims suggests putting the golf committee on hold. During that time the Friends of Mirror Lake can work with Ralph and City Staff regarding projects that need to be done. Ron Smith

asked if there will not be a golf committee. Mayor Sims said there is no point in having a golf committee at this point. Lisa said it is her understanding that Ralph will work with staff to see if funds and staff are available for smaller projects, but larger projects Lisa will present to Council for approval and the Friends of Mirror Lake will work with Ralph. Mayor Sims said that is what he is suggesting. Brion asked if Mayor Sims is going to do away with the golf committee. Mayor Sims said there is still an ordinance, but he does not see a purpose for the golf committee right now. Steve asked if Mayor Sims is saying the Friends of Mirror Lake are not to finish the cart path project. Mayor Sims said the roles need to be addressed first. Ron Smith asked if the cart path will be finished before winter. Ron thinks if the Friends of Mirror Lake are willing to finish the cart path using their money the City should take advantage of it. Steve said the Friends of Mirror Lake are prepared to finish the cart path if the Council approves the project.

Valerie Thompson moved to approve the Friends of Mirror Lake complete the cart path project working with staff. Ron Smith seconded the motion. Steve Nelson said they need direction as to what it means by working with staff. Brion said there needs to be some drainage done at the same time. Mayor Sims said there needs to be a clear list of details for the project. Valerie withdrew her motion. Ron withdrew his second.

Gerry Ann said it is a sad day to dissolve the golf committee and does not feel there is any cooperation and the golf committee does not have a voice. Valerie said the committee is not being dissolved forever, just until the roles have been clearly written.

Mayor Sims said there needs to be clarification on the four pieces fit together. Ron said Ralph should be making the decisions about what needs to come to Council regarding the golf course. Mayor Sims said the City staff need to have a more active role at the golf course. Lisa said it is important to continue to build a relationship with the operator by working with the operator and having the same goals.

Rick Alonzo moved to keep the golf committee on hold during the contract negotiations with Ralph and will work towards establishing the normal routine with the meetings. Valerie Thompson seconded the motion. The motion passed with all in favor.

The golf pass refund request from Michael Haremlin was discussed. Adam said it is similar to the cart shed request. Adam feels if it had been made at the beginning of the season it could be granted, but not at the end of the season. Ralph said Michael played four times. Valerie Thompson moved to approve a refund of \$228.00. The motion dies for a lack of a second.

Lisa said the comprehensive plan (comp plan) amendment is a legislative action, so it can be discussed at any time, unlike a quasi-judicial action. Annexation requests are received by petition from land owners to receive City services. Two things that are considered with annexation requests are: should the request be approved and what should the future zoning be. In order to zone land in accordance with Title 67 of the Idaho Code, it has to be zoned in accordance with the City's comp plan. The current comp plan does not designate much outside of the City limits. Three of four annexation requests require a comp plan amendment. Planning and Zoning will hold a public hearing on November 29, 2018 to consider a recommendation regarding the future land use map amendments. Mayor Sims

said this does not give any authority to annex property, it is a more efficient process. Valerie asked how this amendment will affect the current applications. Lisa said if the amendment is successful then it will align the zoning requests with the comp plan or make a request to change the comp plan.

Lisa said the brush and larger trees along the Katka transmission line are in need of being cleared to make line access easier. Valerie Thompson moved to authorize the Mayor to sign a contract with Dirks Tree Care for an amount not to exceed \$21,200 without Council approval. Adam Arthur seconded the motion. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Lisa has been working with Panhandle Area Council (PAC) to be in compliance with the ADA requirements for the transition plan. One item is installing compliance signage at the Fire Hall. Mayor Sims asked if this is for both Fire Station #1 and #2. Lisa said she will ask Rilie from PAC. Valerie Thompson moved to accept the transition plan update as part of the compliance with the Idaho Community Block Grant program to order and install compliance signage in the Fire Halls as needed. Adam Arthur seconded the motion. The motion passed with all in favor.

A rotating neighborhood clean-up week was discussed. Mayor Sims said there have been ongoing complaints about nuisance properties. He feels this will be a way to help people who are not able to haul their larger items to the landfill and bring the nuisance properties into compliance. Mayor Sims said this will be funded through the garbage fund reserve. Adam said he is concerned with how to keep the unacceptable items out of the containers. Lisa said the landfill will work with our staff regarding the unacceptable items. Valerie asked where the dumpster will be placed. Lisa said the proposed site is near the old high school. It will be a 20 yard dumpster. Mayor Sims said a flyer should be put together and go door-to-door prior to implementing this program. Valerie recommends getting community service groups involved.

Rick Alonzo moved to approve a rotating neighborhood clean-up week with the 20 yard dumpster in selected sites throughout the City. Ron Smith seconded the motion. The motion passed with all in favor.

The placement of a regulatory sign on Tamarack Lane was discussed. Rick said Police Chief Brian Zimmerman expressed his concerns at a Traffic Safety meeting. Brian said since the stop sign is on the high school road it is not enforceable. He feels the stop sign should be removed and a yield sign should be placed to the south of the high school road. Ed DePriest said the students already do not stop at the stop sign, by removing the stop sign he is concerned that students will lose control and hurt someone. Dave Gray said there are also concerns in his neighborhood. Ed DePriest said it needs to be impressed upon the students why these laws are necessary. Mayor Sims asked if there was consideration of leaving the stop sign and adding a yield sign. Brian said it was not considered. Valerie asked about putting a pedestrian crossing. Brian thinks a painted pedestrian crossing is a good idea. Rick said it is the recommendation of the Traffic Safety committee to place a yield sign on Tamarack Lane.

Valerie Thompson moved to place a yield sign at Tamarack Lane and City limits. Adam Arthur seconded the motion. The motion passed with all in favor.

Mayor Sims said a local vendor questioned whether liquor by the drink could be sold on Election Day. Andrakay recommends repealing the ordinance. Rick Alonzo moved to have the first reading of ordinance 582 to repeal Bonners Ferry City Code 3-2A-6(a) and 3-2A-6(c) regarding hours of liquor sales in the City of Bonners Ferry by title only. Adam Arthur seconded the motion. The motion passed with all in favor.

Andrakay read ordinance 582 by title only. An ordinance of the City of Bonners Ferry, a municipal corporation of the State of Idaho, repealing Bonners Ferry City Code Title Three, Chapter Two, Article A, Section Six, Subsections A and C regarding hours of liquor sales; providing that this ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Adam Arthur moved to suspend reading rules and adopt ordinance 582 repealing Bonners Ferry City Code 3-2A-6(a) and 3-2A-6(c) regarding hours of liquor sales in the City of Bonners Ferry. Valerie Thompson seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike said he requested permission a few months ago to have HMH work on some agreements for Phase II of Idaho Transportation Department (ITD) highway project. This agreement just covers the water moves. This agreement allows HMH to design the water moves and request reimbursement from ITD. The estimated City expense is \$8,000-\$10,000 for the moves. Ron Smith moved to authorize the Mayor to sign the actual cost agreements with Idaho Transportation Department for the Water and Sewer utility relocation for Highway 95 Phase II. Valerie Thompson seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike said there are different times that the City needs outside help with engineering. He would like the ability to hire JUB on an as needed basis to help with smaller projects. Valerie Thompson moved to approve the attached general services agreement and authorize task order #1 for river temperature monitoring assistance with JUB. Rick Alonzo seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike said this is the second pay request from S&L Underground. The project is physically complete. \$277,590.95. Rick Alonzo moved to authorize the Mayor to sign pay request #2 with S & L Underground for the Sewer Force Main Bridge Project in the amount of \$277,590.95. Ron Smith seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Mike said this is the second change order request from S & L Underground for \$1,146.00 for additional fittings that were required for the Sewer Force Main Bridge Project. Adam Arthur moved to approve the change order request #2 in the amount of \$1,146.00. Valerie Thompson seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Lisa said that Garden Lane was found to be a high connectivity route in the transportation plan. LHRIP is Idaho money that does not require any local match with a maximum of \$100,000.00. To be eligible for the LHRIP grant the City must own the right-of-way. Lisa spoke with the School Superintendent and he is going to ask the school board for the dedication. Adam said Fry Street ends before the proposed extension of Garden Lane. Mayor Sims said the City will have to get enough right-of-way to extend Fry Street. The deadline for the grant application is the first part of December. Valerie Thompson moved to approve the grant application for the LHRIP Garden Lane extension project and move forward with requesting right-of-way from the school district. Adam Arthur seconded the motion. The motion passed with all in favor.

Andrakay said the Idaho Transportation Department is under a federal mandate to award ten percent of its contracts to disadvantaged businesses. Valerie Thompson moved to authorize the Mayor to sign the Idaho Unified Certification Program Agreement. Rick Alonzo seconded the motion. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Christine McNair explained that Magnuson, McHugh was providing the administration of the City's cafeteria plan. Magnuson, McHugh is no longer providing those services, so the City had to find a new provider. Peak 1 has agreed to provide those services to the City. The services will remain the same and the cost will be less. Mayor Sims asked if the employees will notice a difference. Christine said no.

Valerie Thompson moved to authorize the Mayor to sign the administrative services agreement and the business associates agreement with Peak 1 for cafeteria plan administration. Adam Arthur seconded the motion. The motion passed. Ron Smith – yes, Rick Alonzo – yes, Valerie Thompson – yes, Adam Arthur – yes.

Christine explained that it is difficult to find a place big enough for the Christmas party. There has been discussion among the employees to receive a gift card in lieu of having a Christmas party. Wally Barton, the owner of Road Kill Grill, approached the City about catering the Christmas party. The Armory has a gym that is big enough and it is available at no cost. Mayor Sims asked how many people attended last year. Christine said around 100. Rick asked if there are tables and chairs at the Armory. Christine said there are some, but we will have to move some from the Fire Hall. Mayor Sims said the County rents tables and chairs. Mayor Sims said the options are: have a Christmas party with everyone or give the employees gift cards and have a dinner with the volunteers. Adam wants to have a Christmas party with the employees and the volunteers. Adam Arthur moved to have a Christmas party at the Armory with Road Kill Grill Catering with the prime rib menu, with staff choosing the best date. Valerie Thompson seconded the motion. The motion passed with all in favor.

There being no further business the meeting adjourned at 9:18pm.